AN ARISTOTELIAN ANALYSIS OF THE RHETORIC OF SELECTED SHAKESPEAREAN PASSAGES

Thesis for the Degree of M. A.

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Edna Marie Williams

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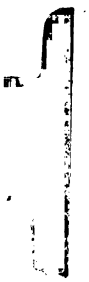

AN ARISTOTELIAN ANALYSIS OF THE RHETORIC OF SELECTED SHAKESPEAREAN PASSAGES

By

Edna Marie Williams

An abstract of a thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts

Department of Speech

Michigan State University

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Approved by Donald W. Towne
Major Professor

In his book, The Oration in Shakespeare, Milton Boone Kennedy[1] has classified the orations appearing in Shakespeare's plays according to Aristotle's three kinds of public address: deliberative, forensic, and epideictic. Kennedy's book is mainly concerned with Shakespeare's dramatic uses of the oration in his plays, and with the structural and rhetorical qualities of the orations as they appear in the various stages of his writing career. One of the conclusions of Kennedy's study is that Shakespeare "perfected the revival of the ancient rhetoric in poetic." Kennedy observed also that some of the orations of the latter periods of Shakespeare's writing career contain a kind of rhetoric which he classified as Aristotelian.

The purpose of this study has been to analyze, according to Aristotelian rhetorical principles, twelve forensic orations from Shakespeare's plays as they were identified by Kennedy in an attempt to find evidence to support Kennedy's conclusions cited above.

Criteria for analysis were developed from Aristotle's Rhetoric.[2] These rhetorical principles were applied in detail to Hermione's oration from The Winter's Tale, the best Shakespearean oration in Kennedy's opinion. The same rhetorical precepts were basic to

the analyses of the remaining eleven orations, which were executed through the use of annotated manuscripts. These analyses considered the following points.

1. The structure of the oration was analyzed, including an identification of the speech parts (the proem, the statement, the narration, the argument, the refutation, and the epilogue) as well as a consideration of those Aristotelian precepts which deal specifically with the use of the narration to establish ethical or emotional proof in forensic speaking (3. 16, p. 230) and with the function of the epilogue in forensic address (3. 19, p. 240).
2. The identification of the speaker's use of non-artistic proof was made, as well as an identification and evaluation of the speaker's use of the three modes of artistic proof (the ethical, the emotional, and the logical). The analysis of the logical mode of proof was largely concerned with an identification of the enthymematic reasoning process and the premises from which these enthymemes are drawn in terms of certain sign, example (historical and invented), probability, analogy or analogical reasoning, maxim and refutative enthymemes based on objection or counter-argument.

3. The identification of Aristotle's four possible issues of forensic speaking was made (3. 17, p. 233), as well as an identification of his three subjects of forensic speaking (1. 3, p. 19). The speaker's use of those lines of argument which can be employed "in dealing with prejudice" in forensic speaking were also considered (3. 15, p. 226).

Analysis of the twelve forensic orations showed that the structures of those orations in the third and fourth periods of Shakespeare's writing career were more Aristotelian in terms of the parts present and the use of those parts than were the structures of the orations from the first and second periods.

Analyses of the use of the non-artistic modes of proof revealed only three speakers even making preparations for the use of a witness in their orations. The results of the analysis of the speakers' uses of artistic proof, however, indicated that the orations from the last two writing periods of Shakespeare's career contain more argumentative and persuasive use of rhetoric than the earlier orations. Furthermore, the speakers of the later periods, with one exception, use the artistic modes of proof more effectively and persuasively than do the speakers of the earlier writing periods.

The identification of the forensic issues with which the orations are concerned revealed: three speakers argue "that the act did less harm than is alleged"; five speakers argue "that the act was not committed"; and four speakers argue "that the act was justified." An identification of the forensic subjects of the orations revealed: five speakers deal with honor; seven speakers deal with justice; and two speakers deal with expediency. An identification of the speakers' use of lines of argument when "dealing with prejudice" showed: eight speakers choose arguments which would clear them of suspicion; seven speakers openly refute the charges which are brought against them; one speaker "meets calumny with calumny"; and one speaker argues that "the act was a mischance, a mistake." It is possible, in other words, to identify these Aristotelian concepts in these dramaturgic orations of Shakespeare.

In consideration of the results of these analyses, this study would seem to offer further intrinsic evidence that Shakespeare did know and apply Aristotelian rhetorical precepts to the composition of his forensic orations.

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[1]Milton Boone Kennedy, The Oration in Shakespeare, (Chapel Hill: The University of North Carolina Press, 1942).

[2]Aristotle, The Rhetoric of Aristotle, trans., Lane Cooper, (New York: Appleton-Century-Crofts, Inc., 1932).

AN ARISTOTELIAN ANALYSIS OF THE RHETORIC OF SELECTED SHAKESPEAREAN PASSAGES

By

Edna Marie Williams

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TABLE OF CONTENTS

LIST OF TABLES

CHAPTER I

INTRODUCTION

Statement of Problem

Milton Boone Kennedy terminates his book, The Oration in Shakespeare, with the following statement: "He [Shakespeare] perfected the revival of the ancient rhetoric in poetic."[1] This assertion is rather astounding when one considers that the Aristotelian perspective of the relation of rhetoric to poetic was not observed to any great extent in Elizabethan drama. In the second place, Kennedy and many others for that matter have raised a question as to whether or not Shakespeare himself was even aware of Aristotle's theory as it is set forth in The Poetics; and if he was, there is still the question of whether or not he applied this theory consciously in his dramaturgy. Thirdly, Senecan precepts, which contain some distorted views of Greek drama, seemingly exerted a potent influence upon Elizabethan drama, but there is little evidence of Aristotelian theory in its sophistic practices. In view of these three generally-accepted

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[1]Milton Boone Kennedy, The Oration in Shakespeare, (Chapel Hill: The University of North Carolina Press, 1942), p. 249.

CHAPTER I

INTRODUCTION

Statement of Problem

Milton Boone Kennedy summarizes his book, *The Oration in Shakespeare*, with the following statements: "He [Shakespeare] perfected the revival of the ancient rhetoric in poesis."[1] This assertion is rather astounding when one considers that the Aristotelian perspective of the relation of rhetoric to poesis was not observed to any great extent in Elizabethan drama. In the second place, scarcely any two writers for that matter have related a reaction as to whether or not Shakespeare himself was even aware of Aristotle's theory as it is set forth in *The Poetics*; and if he was, there is still the question of whether or not he applied this theory consciously in his dramaturgy. Thirdly, Senecan precepts, which contain some distorted views of Greek drama, seemingly exerted a potent influence upon Elizabethan drama, but there is little evidence of Aristotelian theory in its sophistic practices. In view of these three generally-accepted

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[1]Milton Boone Kennedy, *The Oration in Shakespeare*, (Chapel Hill: The University of North Carolina Press, 1942), p. 249.

conclusions, Kennedy's assertion that Shakespeare "perfected the revival of the ancient rhetoric in poetic" piques the curiosity. Considering all operative factors, it would be impossible to prove or disprove his statement. It is possible, however, to gain a functional appreciation and evaluation of his conclusion by examining certain Shakespearean passages and their respective contextual situations.

The purpose of this research is to analyze some Shakespearean passages and the circumstantial context in which they appear in an effort to identify those elements of rhetorical theory which Aristotle treated in his work, The Rhetoric. In his book, Kennedy has classified all of the orations in Shakespeare's plays into Aristotle's three kinds of orations: the deliberative; the judicial or forensic; and the epideictic.[2] He has observed that during the third and fourth periods of Shakespeare's writing career that the orations of the plays in these periods contain a usage of rhetoric which is akin to Aristotelian theory. He has not, however, conducted a detailed rhetorical analysis of any of these orations to substantiate his observations and conclusions. This study assumes that Kennedy's conclusions are correct, and is therefore concerned with a detailed

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[2] Ibid., p. 31.

rhetorical analysis of some of the dramatic passages which Kennedy has classified into Aristotle's three kinds of rhetorical speaking.

Limitations of Study

To reiterate: The purpose of this research is to analyze certain Shakespearean passages and their respective contextual situations in an attempt to identify the playwright's conscious or unconscious employment of Aristotle's precepts of rhetoric as he has voiced these precepts in The Rhetoric. Kennedy's classification of the orations in Shakespeare's plays into the three kinds of oratory has been used to select the Shakespearean passages which have been subjected to a rhetorical analysis. Those eighteen orations which Kennedy has designated as forensic have been chosen as material for the analysis. Three of these orations, however, are from Henry VI and three are from Henry VIII. Because of a question of authorship concerning these plays, these six orations have not been analyzed. The remaining twelve orations which have been subjected to analysis are listed in Table I.

TABLE 1

ORATIONS TO BE ANALYZED

Play	Speaker	Act	Scene
Comedy of Errors	Antipholus of Ephesus	V	i
Comedy of Errors	Ægeon	I	i
Titus Andronicus	Tamora	I	i
Romeo and Juliet	Friar Lawrence	V	iii
Richard II	Mowbray	I	I
Henry IV, Part I	Worcester	V	i
Henry IV, Part II	Chief Justice	IV	ii
Merchant of Venice	Shylock	IV	vii
Measure for Measure	Isabella	II	ii
Othello	Othello	I	iii
Timon of Athens	Alcibiades	III	v
Winter's Tale	Hermione	III	ii

[3]

Justification

Research thus far indicates no evidence of any rhetorical analysis of the orations in Shakespeare's plays in terms of Aristotelian precepts, and the reason seems obvious. Rhetoric in the Renaissance was not a practical tool of civic or politically-minded men as it was in Aristotle's day. It was not inclusively "the art of persuasion." If Shakespeare did use Aristotelian principles of rhetoric in his persuasive speeches, this use would be unexpected, hence, unlikely to be sought out or analyzed.

Rhetorical theory in the Renaissance was mainly a system of rules designed to aid the communicant to write imaginatively. Sister Miriam Joseph in

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[3] Ibid., p. 66.

her book, Shakespeare's Use of the Arts of Language, reviews the extant schools of rhetoric in Shakespeare's day, and demonstrates Renaissance rhetoric as an elaborate theory of composition with figures, tropes, and more terminology than the rhetoricians themselves could logically catalogue.[4] In his book, Wit and Rhetoric in the Renaissance, W. G. Crane illustrates the close--sometimes almost synonymous--association of rhetoric and wit during this period. This wit accrued from the processes of ornamentation and amplification through the employment of figures of speech, allegory, apophthegems, etc.[5] When one contrasts this imaginative Renaissance rhetorical theory of composition with the Aristotelian "art" of oral persuasion, which is typified as far as style is concerned by the phrase, "the golden mean of expression," one is readily aware of differences between these two bodies of rhetorical theory. When one considers, however, that both bodies of theory were followed for the purposes of communicating effectively, these apparent differences do not seem too disturbing.

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The following quotation, although it draws a similarity between Roman rhetoric--not Aristotelian practices--and Renaissance theory, aids to point up the slightness of the dissimilarity between Renaissance rhetorical theory and the rhetorical practices advocated by Aristotle in his Rhetoric.

> Yet Rhetoric is treated as a simple verbal discipline in histories which touch upon it--as the art of speaking well; applied either as it was in Rome to forensic oratory as associated with the interpretation of laws, or more frequently applied as it was in the Renaissance in the interpretation and use of words of orators and poets, and associated with or even indistinguishable from poetic and literary criticism.[6]

The point is that "rhetoric is rhetoric" whether it be a means by which imaginative composition was written or a body of precepts and practices designed to meet the exigencies of practical living through oral discourse. The dissimilarity existing between ancient Aristotelian theory and the Renaissance theories is not indicative of a change in the total process of communication, but indicates instead, a change in that certain facets of the total process of communication received more emphasis than did others: Upon a casual observation of the two theories, one might think that to Aristotle, the reception of the content (the ideas or message) of the communication

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[6]James McKeon, "Rhetoric in the Middle Ages," Speculum, (Vol. XVII, Jan., 1942), p. 1.

was the important thing, while, to the Elizabethan penman, the means by which the content was conveyed to the hearer or the reader was the aspect of the communicative process which received the most emphasis. For all practical purposes, however, the body of theory, rules, and methods making up rhetoric remains relatively constant whether it be an "art" which strives to seek out "all the available means of persuasion" or simply a body of rules, etc., which enabled the Elizabethan communicant to write imaginatively and effectively. Functioning under this assumption then, an analysis of Shakespeare's writings in Aristotelian terms seems justifiable.

If principles of Aristotelian rhetoric are clearly distinguishable in the speech-making of these selected Shakespearean characters, conclusions such as the following might be implied:

1. Aristotelian rhetorical precepts can be incorporated in the successful play which seeks to communicate persuasively. Thus, the rhetorician can effectively subject certain sections of such plays to critical analysis.
2. The playwright whose plays were successful in his own age presented through his works a reflection of the standards and value systems of that age. Therefore, what was successful dramatic persuasion:
    a) can be assumed to have used techniques considered persuasive by the audience,
    b) can be assumed to have presented the "best" of such techniques known and used in that era,
    c) can be assumed to have been constructed carefully by the playwright in terms of a) and b).

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3. Shakespeare, the playwright, did use Aristotelian rhetorical principles, consciously or unconsciously, as Kennedy observed.

Sources

Aristotle's Rhetoric, translated by Lane Cooper, and The Cambridge Edition Text of the Complete Works of Shakespeare, edited by William Aldis Wright, are the basic sources used in this study. A number of secondary materials are also referred to, and these books, dissertations, and articles are listed in the appended bibliography.

Method and Plan of Organization

Chapter II of this study is devoted to an explanation and delineation of the Aristotelian rhetorical precepts which have been applied in the analyses of the forensic orations.

In his book Kennedy observes that as Shakespeare's writing career progressed the orations improved both in terms of structure and in terms of the Aristotelian precepts employed. He states that Hermione's oration from The Winter's Tale, a play written in the last period of the playwright's career, represents Shakespeare's best oration in terms of structure, dramatic integration, and in the employment of rhetorical persuasive precepts. Chapter III of this study is therefore devoted to a detailed rhetorical analysis of Hermione's oration, applying the rhetorical principles

which are set forth in Chapter II.

In Chapter IV the remaining eleven orations are analyzed, applying the same rhetorical principles. These analyses, however, are executed through the use of annotated manuscripts of the orations. In the concluding chapter of this study, Chapter V, the results of these analyses are summarized and compared with the conclusions derived from the analysis of the oration of Hermione. Hermione's oration is adopted as the criterion by which the other orations are evaluated. A summary of the conclusions of this study is also included in this chapter.

CHAPTER II

CRITERIA FOR ANALYSIS

In his book, The Oration in Shakespeare, Milton Boone Kennedy has identified the dramatic speeches in Shakespeare's plays which conformed with the following definition: "an oration is a formal public speech spoken before an audience."[1] Using this definition as his basic criterion of selection, he has classified the speeches into the three Aristotelian types of orations: the deliberative oration, the epideictic oration (the ceremonial speech), and the forensic oration.[2] After reviewing Shakespeare's use of the oration in his dramaturgy, Kennedy states that during the culminating periods of the playwright's career his plays contain a desirable and properly balanced combination and use of the elements of rhetoric and poetic.[3] Because of the presence of this desirable, proportional use of the rhetoric and the

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[1]Milton B. Kennedy, The Oration in Shakespeare, (Chapel Hill: The University of North Carolina Press, 1942), p. 29.

[2]Ibid., p. 63.

[3]Ibid., p. 249.

poetic, Kennedy asserts that Shakespeare has revived Aristotle's conception of the part that rhetoric should occupy in the dramatic poetic, as Aristotle voiced this concept in his Poetics. Kennedy's concluding statement is that: "He [Shakespeare] perfected the revival of the ancient rhetoric in the poetic."[4] Other concluding statements of his study are as follows:

> Shakespeare perceived that the display of sophistic rhetoric for its own sake made at best for inferior art . . . the critical viewpoint established early in his career, he applied immediately, and soon became master of the rhetoric in his plays.
>
> The first step in the direction of this mastery was the substitution of climactic plot for the episodic movement characteristic of the earlier Elizabethan drama.[5]

Aristotle in his Poetics treats the subject of episodic plots succinctly and emphatically: "Of simple Plots and actions the episodic are the worst. I call a Plot episodic when there is neither probability or necessity in the sequence of the episodes." He then discusses the desirability of the climactic plot, in which the incidents "occur unexpectedly and at the same time in consequence of each other."[6]

> Along with placing the emphasis on plot as the main element of his poetic, he set about

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[4]Ibid., p. 249.

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[6]David Daiches, Critical Approaches to Literature, (Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1956), p. 32.

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[6] David Daiches, *Critical Approaches to Literature*, (Prentice-Hall, Inc.: Englewood Cliffs, New Jersey, 1956), p. 82.

> making the interplay of character and circumstance the essence of plot action. Thus his plot action became essentially dramatic rather than narrative. Moreover, in centering the dramatic action about a crisis, he secured unity of action through leading to it from an initial action and away from it to a denouement.
>
> The third step was the individualizing of character along with the psychological study of character. In his development of dramatic character, he emphasized emotional reaction in its relation to state of mind and habit of thinking or mental attitude. In this way he developed greatly in explanation of character and critical circumstance. And while keeping always foremost emphasis on plot action as determined by what characters did or did not do, he recognized the possibilities of plot action determined by characters through the expression of thought.[7]

Kennedy's conclusions regarding Shakespeare's use of plot and the proper relationship between plot and character to evoke a "Unity of action" are also in harmony with Aristotelian poetic theory:

> . . . the action plot involves agents [characters], who must necessarily have their distinctive qualities of both character and thought since it is from these we ascribe certain qualities to their actions.[8]

These "agents" "do not act in order to portray the Characters," but "for the sake of action,"--an action that is "complete within itself."[9]

In summary, then: Kennedy concludes that as Shakespeare's writing career progressed the playwright made the plot or the action the important element in

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[7] Op. cit., pp. 247-248. (Italics are this writer's.)

[8] Op. cit., p. 26

[9] Ibid.

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[7]Op. cit., pp. 247-248. (Italics are this writer's.)

[8]Op. cit., p. 28

[9]Ibid.

his dramaturgy; that he refined his manipulation of character and action, using both as instruments to advance the all-important plot. Shakespeare further developed the inner character of his dramatic agents, subordinating the outward display of this inner "emotional" and "mental" personality or character to the furtherance of the climactic plot and keeping it in harmony with the action.

These conclusions have been derived by Kennedy from his application of Aristotelian poetic theory to Shakespeare's works. His concluding point, also based on Aristotelian poetic theory, is concerned with Shakespeare's use of rhetoric in the poetic drama.

> With this Aristotelian basis for his poetic, [the perfection of plot and the development of character] Shakespeare worked out his rhetoric in poetic. His emotional rhetoric he kept from running into detached showiness and extravagance of traditional sophistic by making it integral in character--the natural expression of emotional thinking. His rhetoric of oratory he kept from being the mere declamation of academic exercise of traditional sophistic by making it integral in plot development--the logical expression of intellectual thinking designed in the interest of persuasion which would influence action. His rhetoric in poetic is thus also Aristotelian.[10]

This conclusion is the focal point of the present study. It has been necessary to summarize Kennedy's conclusions because, according to the author, the

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[10]Kennedy, op. cit., p. 248.

perfection of plot and the development of character were prerequisite to effecting a proper, proportional, and Aristotelian use of the rhetoric in the dramatic poetic.

Louis Dollarhide in his dissertation, Shakespeare's 'Richard III' and Renaissance Rhetoric, presents an opposing argument to Kennedy's conclusion that "He [Shakespeare] perfected the revival of the ancient rhetoric in poetic."

> Shakespeare's integration of rhetoric in the dramatic fabric of his later plays has led some critics to strain the case for his knowledge of Aristotle's Rhetoric and Poetics. (See Kennedy pp. 247-249.) Such a dependence on Aristotle while it has not been proved seems ultimately to detract from Shakespeare's creative ability. Enough Aristotelianism sifted down to the grammar school students by way of Cicero and Quintilian to awaken the tantalizing suggestion of direct knowledge and influence.[11]

Dollarhide found in his study that "nearly all of the play could be analyzed under the related headings of oration, disputation, and speeches of vehemence; and that "each scene of the play" was dominated by one or more of these rhetorical movements. As can be inferred from the foregoing quote, however, Dollarhide was not concerned with an Aristotelian rhetorical analysis. Instead, his study was concerned

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with the traditional Ciceronian canons of Rhetoric as they were taught in the Renaissance grammar schools. One of the conclusions of his study is as follows:

> The oration appeared not only as a formal address in the manner described by Kennedy, but also as soliloquies delivered "formally" to an audience, and as speeches within dialogue. It was demonstrated further that Shakespeare interrupted these set speeches with dialogue and finally broke speeches up and gave parts to several speakers.[12]

The foregoing is included to acquaint the reader with a controversy regarding the basic hypothesis of this study. Dollarhide's opinion of Kennedy's conclusion, however, is presented in a footnote, and it is given strictly in the realm of opinion.

Scholars have long been contending the question: Did Shakespeare have a knowledge of the contents of Aristotle's Rhetoric and Poetic? Dollarhide contends that the playwright did not; Kennedy holds the opposite viewpoint. Since Kennedy's book reveals considerable evidence as to the validity of his conclusions, it seems sensible that the purpose of this study should be to examine some of the dramatic speeches that Kennedy has defined as orations, thus attempting to identify and evaluate Shakespeare's conscious or

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[12] Ibid., p. 209.

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unconscious use of Aristotelian precepts of rhetoric. Kennedy's conclusion that Shakespeare did use a concept of rhetoric in his orations which can be identified as Aristotelian, is assumed as a basic hypothesis in the study in the hope that the analysis made will constitute further evidence for or against this basic premise.

That Shakespeare could have known Aristotelian precepts of rhetoric and poetic either directly from actual contact with the ancient's works or indirectly from the "Aristotelianism" that was in the air during the Renaissance will be demonstrated by the following: Dollarhide in his dissertation gives well-substantiated information concerning Shakespeare's grammar school education. Using T. W. Baldwin's William Shakspere's small Latine & lesse Greeke, as one of of his sources he states:

> It now seems clear from the work of T. W. Baldwin that Shakespeare's rhetorical training in the Tudor grammar school was acquired along completely conventional lines. The whole intent of the educational program from the petty school to the climaxing study of Quintilian in the sixth form of the grammar school was the shaping of the orator as the highest goal to be sought.[13]

Shakespeare's grammar school training was done exclusively through the use of Latin texts. Baldwin on this point says:

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[13]Ibid., p. 5. See footnote 9.

> Here in the Latin Text is the main stream (of the tradition) the English Rhetorics are only the eddies. Either tutored or untutored, Shakspere would derive his knowledge from the main stream.[14]

Baldwin concludes that Shakespeare's books on logic and rhetoric were probably:

> . . . the Rhetoricae ad Herennium, the elementary text for figures and rhetorical theory; Cicero's Topica, for the places of invention, Melanchthon, or some similar text, for a systematic survey of the syllogism; Susenbrotus' Epitome, for figures of speech; Erasmus' De Duplici Copia, for the two ways of varying style and the Modus Conscribendi Epistolas, for the application of the two methods to the old art of dictamen; finally Aphthonius' Progymnasmata for the application of rhetoric to theme-writing; and at last Quintilian's Institutio Oratoria for the classical oration.[15]

Sister Miriam Joseph in her book, Shakespeare's Use of the Arts of Language, classifies the schools of rhetoric which probably exerted some influence on Shakespeare's composition. Her classification of the traditional Latin sources from which the English rhetoric textbooks were derived coincides with Baldwin's statement of the tradition sources which he concludes Shakespeare studied from, with the exception of Erasmus. Kennedy, however, verifies the scholar's inclusion in this tradition classification. In a discussion of the confusion of the rhetoric and poetic elements during the Middle Ages, Kennedy says of him:

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[14]Ibid., p. 6. See footnote 20.

[15]Ibid., p. 5. See footnotes 10-17.

> And Erasmus, while still rhetorical in his approach, took a step forward in emphasizing the value of the classics for their thought and content as well as for their stylistic form.[16]

After reviewing the different schools of rhetoric which could have influenced Shakespeare's composition, Sister Miriam Joseph concludes that in all three schools (the Traditionalists, the Ramists, and the Figurists) "there is a fundamental likeness despite obvious differences, for in all of them are discernable to a degree, not hitherto adequately recognized, the dominant features of Aristotle's rhetoric."[17] Her conclusions and her methodology are somewhat refuted by I. A. Richards. In answer to her conclusions he says that Shakespeare who illustrated so much, could have illustrated the "rhetorical theory in its entire scope without formal instruction."[18] Although these two viewpoints contradict one another in content, they can nevertheless be construed to give evidence that Shakespeare could have acquired knowledge of Aristotle's rhetorical precepts: the former statement of Sister Miriam Joseph gives a direct indication of some basic "Aristotelianism" in all extant schools of rhetoric, and

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[16]Kennedy, op. cit., p. 20. See footnote 32.

[17]Sister Miriam Joseph, op. cit., p. 18.

[18]I. A. Richards, "The Places and the Figures," Kenyon Review, Winter (1949), p. 20.

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[16]Kennedy, op. cit., p. 20. See footnote 32.

[17]Sister Miriam Joseph, op. cit., p. 18.

[18]L. A. Sonnino, "The Places and the Figures," Kenyon Review, Winter (1949), p. 20.

from I. A. Richards' assertion we can infer that if Aristotelian rhetorical precepts were in existence, and we have substantial evidence to believe they were, Shakespeare would have been aware of them and could have incorporated them into his dramaturgy.

It is well-known that Thomas Wilson's The Arte of Rhetorique, published in London in 1553, (Shakespeare's writing period was from 1591 to 1611) was the most pervasive in influence of all the English rhetoric textbooks of the traditional school. Kennedy states that Shakespeare "had Wilson's Arte of Rhetorique as a basis for theory of rhetoric."[19]

Russell Wagner says of Wilson's work:

> He re-assembled, under the head of rhetoric all the scattered principles which in ancient times had been thought indispensable to the complete art of the orator since the time of Quintilian.

It is the "first full treatment of the best of classical doctrine," making that doctrine "really useful in the world of practical affairs." It is a "pragmatic, dynamic body of principles" in which the influences of Cicero are highly discernable.[20]

> In re-uniting, selecting, and adapting the classical principles of public address, Wilson restored the body and, to some extent, re-

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[19]Kennedy, op. cit., p. 218.

[20]Papers in Rhetoric, Donald C. Bryant, "Thomas Wilson's Contributions to Rhetoric," (unpublished material), Washington University, St. Louis, 1940, p. 2.

formed the concepts of rhetorical theory.[21]

Karl Wallace, writing of the "Early English Rhetoricians on the Structure of Rhetorical Prose" has noted a change in oral and written discourse which suggests the influence of Aristotelian rhetorical precepts.

> The Tudor and early Stuart Rhetoricians who from 1509-1625 theorized about the principles of speech-making and sermonizing, of writing tracts, pamphlets, and letters, reveal a shift in opinion concerning the form and structure of discourse. . . . the chief theorists appear to be gradually modifying, and in a few cases abandoning, the classical arrangement of rhetorical prose, in favor of an arrangement and progression of thought that is held to be better adapted to the speaker's or writer's purpose, the character of his audience, and the attendant circumstances of time, place and occasion. The classical structure, with its exordium, narration or exposition, proposition, confirmation, confutation, and conclusion, is clearly the preferred method of planning a composition, yet it makes room for a more functional order and arrangement. Furthermore, though the principal rhetoricians prefer that prose should be ordered after the classical pattern, they also admit, besides the functional arrangement, a kind of logical structure. Without having in mind a strict logical unity as we know it today, they seem to recognize that disposition is influenced by the relation of a theme or proposition and the way its points grow out of or lead up to it.[22]

Available evidence suggests that Shakespeare could have been acquainted with both Aristotle's Rhetoric and Poetics. The Poetics was "known at

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[21] Ibid., p. 5.

[22] Ibid., "Early English Rhetoricians on the Structure of Rhetorical Prose," p. 13.

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[21] Ibid., p. 5.

[22] Ibid., "Early English Rhetoricians on the Structure of Rhetorical Prose," p. 13.

Cambridge by 1542, if not before."[23] Kennedy's study of Shakespeare's plays leads him to believe that Shakespeare "came to know it through contact with dramatists who had attended the universities, if he had not known it before."[24] Suggestions of the playwright's knowledge of The Poetics are to be found within passages of his plays, e.g. Hamlet's advice to the players, etc.[25] Lane Cooper in his work, The Poetics of Aristotle, Its Meaning and Influence, extends the source of "Aristotelianism" upon Shakespeare to Italy:

> It is a question how much Shakespeare knew about the "rules" till near the end of his career; but he could not have been produced without the Italian dramatists and critics, his forerunners, who studied Aristotle and diffused the knowledge of classical drama that was in the air.[26]

In regard to The Rhetoric, it is known that it was available in England after the early 1500's.[27]

To summarize, then, when we consider that Shakespeare's formal rhetorical training is thought to have been in the traditional manner with Cicero

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[23]Marvin T. Herrick, The Poetics of Aristotle in England, (New Haven: Yale University Press, 1930), p. 17.

[24]Kennedy, op. cit., p. 218.

[25]Ibid., pp. 234-246.

[26]Ibid., p. 232. See footnote 51.

[27]Herrick, op. cit., p. 13

and Quintilian as the classical sources; that the three schools of rhetoric extant during Shakespeare's writing career contained some fundamentals of "Aristotelianism" as Sister Miriam Joseph has observed, and that Shakespeare was directly acquainted with Wilson's rhetoric, it appears that Kennedy's conclusions that some of Shakespeare's later orations contain rhetoric which can be classified as Aristotelian is a legitimate one. It is also known that Aristotle's Rhetoric and Poetics were circulating in England in Shakespeare's day and that Aristotelian rhetorical and poetic theory were available. Shakespeare's later plays show evidences of being influenced by a source which is akin to Aristotelian dramatic and rhetorical theory as Kennedy has observed. These circumstances strongly suggest that the playwright could have been aware of and could have incorporated the ancient's precepts into his dramaturgy. The classical conception of rhetoric under the influence of Bacon and Jonson became a clear actuality in the seventeenth century.[28] But this does not mean that there were no rhetorical innovations in

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[28]James E. Wade, Mediaeval Rhetoric in Shakespeare, (unpublished Ph. D. dissertation, University Library, St. Louis University, 1942), p. 1.

and Quintilian as the classical sources; that the three subsets of rhetoric extant during Shakespeare's writing career contained some fundamentals of "Aristotelianism" as Sister Miriam Joseph has observed, and that Shakespeare was directly acquainted with Wilson's rhetoric. It appears that Kennedy's conclusions that some of Shakespeare's later greatest dramatic texts which can be classified as Aristotelian is a legitimate one. It is also known that Aristotle's Poetics and Poetics were circulating in England in Shakespeare's day and [illegible] Aristotelian rhetorical and poetic theory were available. Shakespeare's later plays show evidences of being influenced by a source which is akin to Aristotelian dramatic and metrical theory as Kennedy has observed. These characteristics obviously suggest that the playwright could have been aware of and could have incorporated the aesthetic principle into his dramaturgy. The classical conception of rhetoric under the influence of Bacon and Jonson became a clear actuality in the seventeenth century.[29] But this does not mean that there were no rhetorical innovations in

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[29]James J. Wade, *Neglected Rhetoric in Shakespeare*, (unpublished Ph. D. dissertation, University Library, St. Louis University, 1942), p. 1.

Elizabethan times.[29] Considering the alert aptitudes of Shakespeare and the change which was taking place in the rhetorical theory in his time, it seems reasonable to consider the later works of the playwright as hybrid literary products of the medieval rhetorical tradition (See page 54), and as Kennedy has observed, as literary masterpieces which consciously or unconsciously absorbed the classical precepts which were then in circulation, and which in the seventeenth century matured and became the standards of both oral and written prose and poetry.

When reviewing the evidence concerning Shakespeare's knowledge or awareness of his conscious or unconscious application of Aristotelian precepts in his dramaturgy, and the changes which were occurring in the communicative process of his era, Kennedy's conclusions appear to be both reasonable and justifiable.

His conclusion, however, that Shakespeare "perfected the revival of the ancient rhetoric in poetic," is based on a generalized methodology, i.e., he has not analyzed in detail any of the dramatic speeches which he has classified into Aristotle's three kinds of oratory; and he has not analyzed these orations in terms of Aristotle's Rhetoric. His main

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[29] Ibid., p. 8.

concern in his book has been to show the reader Shakespeare's use of the oration in his dramaturgy. He has explained how Shakespeare has skillfully integrated the oration into his plays; how he has used the oration effectively as a means of character revelation, as a means to advance the plot, and as a means of pointing up significant events or a character's reaction to an important event. He has observed that these orations include logical and persuasive speaking, but he has not conducted any detailed rhetorical analysis to substantiate his observation. The only attention Kennedy has given to rhetorical analysis is to construct a general outline of the content of some of the orations to reveal Shakespeare's use of the introduction, narration, refutation, and epilogue, and to treat the quality of Shakespeare's orations in the four writing periods of the playwright's career.[30] The purpose of this study, as previously stated, is to analyze some dramatic speeches that Kennedy has defined as orations in an attempt to identify and evaluate Shakespeare's conscious or unconscious use of Aristotelian precepts of rhetoric.

It remains to determine the scope of this analysis and to determine the criteria which are to

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[30]Kennedy, op. cit., see Chapter V, "Structure of Orations."

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define the oration in an attempt to identify and
the four existing periods of the playwright's career.50
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50Kennedy, op. cit., see Chapter V, "Structure of Orations."

be applied in the examination of the dramatic passages.

As stated in Chapter I, the specific orations which are subjected to analysis are those dramatic speeches from Shakespeare's work which Kennedy has classified as forensic orations. These speeches are listed in Table 2.

TABLE 2

Play	Act-Scene	Speaker	Purpose
	PERIOD I		
The Comedy of Errors	I i	Aegeon	Defense of himself
The Comedy of Errors	V i	Antipholus of Ephesus	Defense of himself
Titus Andronicus	I i	Tamora	Defense of son
	PERIOD II		
Romeo and Juliet	V iii	Friar Lawrence	Exposition of situation: Defense of himself
Richard II	V i	Mowbray	Defense of himself
Henry IV, Part I	V i	Worcester	Defense of himself
Henry IV, Part II	V ii	Chief Justice	Defense of himself
Merchant of Venice	IV vii	Shylock	Defense of himself
	PERIOD III		
Measure for Measure	II ii	Isabella	Defense of Claudio
Othello	I iii	Othello	Defense of himself
Timon of Athens	III v	Alcibiades	Defense of himself
	PERIOD IV		
Winter's Tale	III ii	Hermione	Defense of herself[32]

[32] Ibid., p. 67.

From the foregoing table it will be noted that the analyses are concerned with similar or identical speaking situations. The reason for this choice is two-fold: 1) Assuming that Shakespeare does use Aristotelian persuasive precepts in his orations, these precepts would seemingly be more discernable in a judicial situation wherein the speaker's main objective is to influence the belief of his immediate listeners in the play, either positively or negatively, on an issue that is of deep personal concern. In ten out of twelve orations the speaker is speaking in self-defense. 2) Because of the similarity of situations, it is possible to draw more definite conclusions and generalizations regarding Shakespeare's use of Aristotelian rhetorical theory.

This study covers orations from plays written in all four periods of Shakespeare's career. Kennedy has observed that the playwright used the oration most frequently in his early plays at which time he was "most generally given to experiment in language"; and that "like his predecessors," he found "the oration a convenient vehicle for rhetorical display." As Shakespeare gave more attention to the development of plot, the number of the orations used in his plays decreased; but "along with the development of the plot structure, "Shakespeare showed "discrimination and

concentration in the use of the oration." He refined the oratorical speech, fitting it to the individual character of the speaker, and using it more skillfully to advance the plot. Lastly, Kennedy has observed:

> . . . there is a growing interest and developing skill in Shakespeare's use of the trial scene and the forensic. The tenseness of situation characteristic of a trial scene furnishes occasion and opportunity for unusually effective use of a carefully worked out speech of defense.[33]

In connection with the foregoing, an attempt is made to note specifically the basic differences in the quality of the forensic orations used by Shakespeare in the four periods of his writing career.

It should be kept in mind that in a study of this nature there are variables such as characterization and the playwright's dramatic purpose; and that any conclusions drawn are drawn in consideration of these and other non-realistic elements.

The methodology for this study as outlined at the end of Chapter I, is to analyze in full detail according to Aristotelian rhetorical precepts Hermione's oration from The Winter's Tale. This dramatic speech is from Shakespeare's fourth period of writing. In regard to its quality, Mr. Kennedy states:

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[33]Ibid., p. 73.

> Hermione's oration represents the best of Shakespeare's work in dramatic integration. . . . Furthermore, her forensic achieves the introduction of rhetoric in poetic according to the best of classical tradition in a play which represents Shakespeare's most ambitious effort in harmonizing the romantic and classical ideals of poetic in drama.[34]

Assuming that Kennedy's statements are correct, it should be possible to use the oration of Hermione as a standard to which the other orations could be compared and by which they could be evaluated. By this methodology, the basic differences and similarities in the techniques used by Shakespeare in the composition of his orations can be more easily and accurately made.

It should be made clear that Kennedy's conclusions regarding Shakespeare's use of the oration in his dramaturgy have been made by applying Aristotle's theory of what constitutes drama as that theory is voiced in The Poetics; that Kennedy has been concerned with the various elements of Shakespeare's plays: the plot and the development of character as well as the oration; and that this study is concerned only with Kennedy's generalized conclusion, "He [Shakespeare] perfected the revival of the ancient rhetoric in poetic." Some attention is given to plot and character because the overall effect of an

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[34] Ibid., p. 163.

oration is naturally contingent to some extent upon these two elements. Nevertheless, plot and character are not treated as main elements of the analysis, unless they are essential contributing factors to the overall speaking situation.

With these limitations in mind, then, let us consider the formulation of specific rhetorical criteria which are applied in the present analysis.

Aristotle's conception of the place of rhetoric in the poetic drama which appears in Chapter XIX of The Poetics is as follows:

> It remains to speak of the Diction and Thought, the other parts of Tragedy having been discussed. Concerning the Thought, we may assume what is said in the Rhetoric; to which inquiry the subject more strictly belongs. Under Thought is included every effect which has to be produced by speech; in particular--proof and refutation; the excitation of the feelings, such as pity, fear, and anger, and the like; the heightening or extenuating of facts. Further, it is evident that the dramatic incidents must be treated from the same points of view as the dramatic speeches, when the object is to evoke the sense of pity, fear, grandeur, or probability. The only difference is that the incidents should speak for themselves without verbal exposition; while the effects aimed at in a speech should be produced by the speaker, and as a result of the speech. For what were the need of a speaker, if the proper impression were at once conveyed, quite apart from what he says.[35]

"Concerning the Thought, we may assume which is said in the Rhetoric; to which inquiry the subject more strictly belongs." Since Aristotle refers us

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[35]Ibid., p. 3.

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With these limitations in mind, then, let us consider the formulation of specific rhetorical criteria which are applied in the present analysis.

Aristotle's conception of the place of rhetoric in the poetic arts which precede it in Chapter XIX of The Poetics is as follows:

to The Rhetoric, the procedure which is followed to determine the criteria for analysis is first, to demonstrate only to an expedient extent that the contents of The Rhetoric are in harmony with Aristotle's concept of the place of rhetoric in the poetic drama; and second, to establish the criteria which are applied in the analysis of the forensic orations.

"Under Thought is included every effect which has to be produced by speech." When comparing this statement from The Poetics with the definition of rhetoric itself as found in The Rhetoric: "So let Rhetoric be defined as the faculty (power) of discovering in the particular case what are the available means of persuasion,"[36] points of identity appear. These points of identity, whether rhetoric be a subsidiary element in the poetic drama or whether it be a means of speaking effectively and persuasively, are inherent in the phrases, "every effect which has to be produced by speech" and "discovering in the particular case what are the available means of persuasion." In The Poetics, Aristotle defines these effects as being "proof and refutation"; "the excitation of feelings such as pity, fear, anger, and the like," and "the heightening or extenuating of facts."

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[36]Aristotle, The Rhetoric of Aristotle, trans., Lane Cooper, (New York: Appleton-Century-Crofts, Inc., 1932), 1. 2, p. 7.

In The Rhetoric, persuasion, which is the basic element of "proof and refutation," is effected by the speaker's use of non-artistic proofs (the use of testimonies, witnesses, laws, etc.), and the three modes of artistic proofs, ethical, pathetic and logical proof.

Considering ethical proof first, Aristotle says that to establish this mode of proof:

> The speaker must paint his portrait in the right colors . . . the speaker must seem to have good sense; good moral character, and good will toward the audience.[37]

To establish pathetic proof, the speaker must "put his hearers in the proper frame of mind. He "must understand emotions, and have propositions at command for inducting them."[38] To establish logical proof:

> The speaker must know the general principles of arguing . . . he must have ideas about the uses and kinds of logical patterns and the logical questions or issues which occur in . . . every sort of subject matter.[39]

A speaker's judicious use of the three foregoing modes of proof constitutes then, to a large extent the means by which he can effect persuasion. Table 2 shows the identical or parallel elements

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[37]Taken from an unpublished outline on Aristotle's Rhetoric prepared by H. A. Wilchelns, Cornell University, n. d.

[38]Ibid.

[39]Ibid.

inherent within the precepts of The Poetics and those of The Rhetoric, with reference to persuasive speaking.

TABLE 3

A COMPARISON OF THE SYNONYMY OR PARALLELISMS INHERENT WITHIN ARISTOTLES'S THEORY OF THE PLACE OF RHETORIC IN THE POETIC DRAMA AND OF RHETORIC AS A MEANS OF PERSUASIVE SPEAKING

The Rhetoric	The Poetics
1. Ethical Proof (ethos)	1. Excitation of feelings of pity, fear, anger, etc.
2. Pathetic proof (pathos)	2. Excitation of feelings of pity, fear, anger, etc.
3. Logical proof (logos)	3. Proof and refutation.
4. The three modes of proof and narration.	4. The heightening and extenuating of facts.
5. The object of speech: to persuade--involving all three modes of proof.	5. The object of speech: to evoke a sense of pity, grandeur, or probability--involving the three modes of proof.

Such a presentation, of course, distorts the intent of Aristotle because it presents the three modes of proof as separate entities rather than as three complementary aspects of the total speaking situation. To clarify, e.g., a link in a speaker's chain of reasoning may be stated in such a way that it will add to the speaker's pathetic and ethical proof as it simultaneously presents a cogent argument to the audience. Similarly, in the rhetoric of the poetic drama, a character may "extenuate" or "heighten" some facts through logical methodology, and thereby evoke "a sense of pity or grandeur."

Because of the presence of the logical and pathetic elements, his factual account may be acceptable as proof or refutation of the issue at hand.

The synonymy of the logical proof in The Rhetoric and the proof and refutation in The Poetics is obvious. The pathetic and ethical proofs find their relative parallels in the "excitation of feelings": One's passions or emotions are usually aroused only to the degree to which one identifies oneself positively or negatively with the subject at hand. The source of this identification or empathy is usually found in the ethical qualities of a character or in the ethical and emotional nature of the issues in which the character is involved. "The excitation of feelings" is accomplished to the degree that the speaker evinces to his hearers that he is emotionally moved by what he is uttering and to the degree that the speaker, both by ethos and pathos, is capable of producing the desired emotional reaction in his audience. "The excitation of feelings," then, is to a large extent dependent upon the pathetic and ethical proofs inherent in or established by the speaker. The logical mode of proof is by no means excluded from this effect produced by speech. It seems, however, that the two other proofs would be more dominantly employed to evoke an "excitation of feelings" in the audience.

Because of the presence of the logical and pathetic elements, his factual account may be acceptable as proof or refutation of the issue at hand.

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In The Poetics, Aristotle describes "the heightening and extenuating of facts" as two of the effects which should be produced by rhetoric in the drama. This phrase in itself embraces much of the theory in The Rhetoric. To heighten the facts of an issue or circumstance in the poetic drama suggests the use of the pathetic and ethical means of proof, but it by no means excludes a logical approach or the establishment of logical proof in the presentation. To extenuate the facts: to represent an issue or a circumstance as being less offensive, less serious than it has been alleged to be, suggests a logical approach and the establishment of logical proof predominantly; but again, it by no means precludes the speaker's use of the ethical or pathetic modes of proof.

When comparing the ends of rhetoric as Aristotle has defined them in The Rhetoric and The Poetics (See Table 3), it is necessary to keep in mind that in The Rhetoric the real, the practical, the expedient are being dealt with. The ultimate end is persuasion. In The Poetics, the imitation of life and artistic endeavor are the paramount considerations. The rhetoric of the playwright is subordinated to his overall dramatic purposes. He incorporates it with various other devices to create an impression upon the viewers of his work. In both The Rhetoric and The Poetics,

however, the same elements are incorporated, as it has been demonstrated. Persuasion through speech is vital to the total impression which the playwright wishes to make upon his audience: it must be persuaded in one form or another before it is capable of reacting to the characters, issues, and circumstances that are being portrayed.

The foregoing demonstration of the synonymy and parallelism of Aristotle's concept of rhetoric, whether it be a theory of effective public speaking or a subsidiary element in the poetic drama, then, justifies the establishment of criteria for analysis of the dramatic speeches by drawing these criteria from The Rhetoric. Since Aristotle refers the reader to The Rhetoric when he speaks of the proper relationship between rhetoric and the poetic in drama; and since Mr. Kennedy has asserted that Shakespeare's later oratorical passages are in harmony with Aristotelian precepts, the bulk of this study is concerned with a detailed analysis of the specified orations in terms of Aristotle's precepts of rhetorical discourse as they are set forth in The Rhetoric.

In The Rhetoric, Aristotle has divided the types of speaking into three categories: deliberative (political, advisory); forensic (legal), and epideictic (ceremonial).[40] He has explained that the three

modes of proof: logical, pathetic, and ethical, are to be incorporated in all three branches of speaking, as is the non-artistic mode of proof. In addition to these four means of persuasion applicable to all three branches of rhetoric, Aristotle has formulated specific precepts which are to be applied to each branch of speaking in particular. In accordance with the philosopher's methodology, an examination of the speeches is made to identify and analyze the means by which the speaker has established logical, ethical, and pathetic proof and also to note if any form of non-artistic proof has been incorporated into the speaking situation. In addition, the speeches are analyzed in light of some of the rhetorical precepts which Aristotle has formulated in regard to forensic speaking in particular. It remains now to define and to specify the criteria which are applied in the analysis.

The Non-artistic Mode of Proof: Aristotle defines the non-artistic mode of proof:

> By "non-artistic" proofs are meant all such as are not supplied by our own efforts, but existed beforehand.[41]

Aristotle refers to them as "a non-technical means of persuasion." He enumerates five kinds of non-artistic

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[40] Aristotle, op. cit., l. 3, p. 16.

[41] Ibid., l. 2, p. 8.

means of proof: "laws, witnesses, contracts, tortures, and oaths," commenting thereafter that "these belong especially to the forensic branch of Rhetoric."[42]

Aristotle's treatment of the non-artistic modes of proof is involved and lengthy. For the sake of brevity, mere mention is made of his points. During the examination of the orations, those precepts which are applicable in the analysis are defined from The Rhetoric and are applied to the orations.

Covering the speaker's use of laws to establish proof, Aristotle delineates the techniques of argument which should be followed in specific instances and circumstances. He defines the two kinds of laws: the written law and the unwritten law--the latter being the universal law housing the principle of equity.[43]

Treating the subject of witnesses, Aristotle designates two kinds: the "ancient, time-honored witnesses," whose judgments are recorded, and the "recent witnesses"--those who testify at the scene of the trial.[44] He instructs the speaker concerning the use of witnesses, and to a greater length concerning the

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[42]Ibid., 1. 15, p. 80.

[43]Ibid., 1. 15, pp. 80-81.

[44]Ibid., pp. 82-84.

use of contracts, tortures, and oaths--how they should be incorporated in establishing proof.[45]

In the analysis of Shakespeare's orations, the speaker's use of the non-artistic modes of proof are examined in light of Aristotle's precepts as they are set forth in Book I, Chapter 15 of The Rhetoric.

The Three Artistic Modes of Proof: In regard to ethical proof (ethos) and its importance in forensic speaking, Aristotle says:

> Now Rhetoric finds its end in judgment . . . in forensic speaking the decision (of the jury) is a judgment; and hence the speaker must not merely see to it that his speech (as an argument) shall be convincing and persuasive, but he must (in and by the speech) give the right impression of himself and get the judge (audience) into the right state of mind . . . producing the right attitude in the hearer is . . . important in forensic.
>
> As for the speakers themselves, the sources of our trust in them are three, for apart from the arguments (in a speech) there are three things that gain our belief, namely, intelligence, character, and good will. Speakers are untrustworthy in what they say or advise from one or more of the following causes. Either through want of intelligence they form wrong opinions; or, while they form correct opinions, their rascality leads them to say what they do not think; or, while intelligent and honest enough, they are not well-disposed (to the hearer).[46]

In consideration of the above, the analysis treats those utterances of the speaker which aid in the establishment of ethical proof or which reflect

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[45]Ibid., pp. 84-89.

[46]Ibid., 2. 1, pp. 91-92.

the ethos of the speaker. Any technique or method which the speaker uses to show "good will toward the audience"; which reflects or establishes the speaker's "intelligence" and "character" as being "trustworthy" is identified as part of the means by which the speaker has established ethical proof.

In regard to pathetic proof, Aristotle begins by defining what he means by emotion: " . . . those states which are attended by pain and pleasure."[47] He then explains how pathetic proof is incorporated into persuasive speaking:

> . . . persuasion is effected through the audience, when they are brought by the speech into a state of emotion; for we give very different decisions under the sway of pain or joy, and liking and hatred.[48]

First, the analysis of the designated orations identifies the specific emotion which the speaker has produced by his speech; secondly, the means by which the speaker has produced an emotional reaction in his audience is analyzed; and third, an attempt is made to determine to what extent the established pathetic proof augments the total effectiveness of the speech.

In considering logical proof, Aristotle first treats the "means of persuasion common to all branches

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[47] Ibid., 2. 1, p. 92.

[48] Ibid., 2. 20, p. 147.

of speaking":

> It remains to discuss the means that are common to all three. These common (universal) means are generally two--that is under one genus there are two species, namely the Example and the Enthymeme.[49]

When treating the subject of logical proof in connection with forensic speaking, the rhetorician states: "Argument by enthymeme is more characteristic" of this branch of rhetoric.[50]

Aristotle defines the enthymeme as a "rhetorical syllogism." In other words, the enthymeme is to rhetoric what the syllogism is to logic. It is, in a sense, a link of reasoning in a persuasive argument. It is based on deduction:

> To conclude from certain assumptions that something else follows from those assumptions (something distinct from them, yet dependent upon their existing) either universally or as a rule--this in Dialectic, is called a syllogism, and in Rhetoric an enthymeme.[51]

An explanation of the nature of the enthymeme and the enthymematic reasoning process as it was conceived by Aristotle has been aptly interpreted and presented by James McBurney in his dissertation, The Place of the Enthymeme in Rhetorical Theory.[52] In

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[49]Ibid., 2. 20, p. 147.

[50]Ibid., 3. 17, p. 233.

[51]Ibid., 1. 2, p. 10.

[52]James McBurney, "The Place of the Enthymeme in Rhetorical Theory," Abstract of Ph. D. Dissertation from Speech Monographs, Vol. III (1936).

one section of his work, McBurney treats the enthymeme in relation to the nature of the subject matter from which it is drawn, demonstrating that enthymemes are formulated from probabilities, signs, examples (involving analegical reasoning based on induction), and refutation. He also explains how enthymemes are employed in the reasoning process. His interpretation of Aristotle's enthymeme and the enthymematic reasoning process is as follows: Enthymemes drawn from probabilities (arguments which are usually accepted as being true because it is probable that they are so) attempt to account for a fact or a principle already maintained. Such an enthymeme assigns a cause or a reason for the existence of a fact or principle already acknowledged.[53] Enthymemes which find their basis in signs seek to supply a reason which will in turn establish the existence of a fact without offering any causal relation between the sign and the fact under consideration. There are three types of signs from which such enthymemes can be drawn: the certain sign (indisputable); the fallible sign (disputable) and the example.[54] Aristotle cites two kinds of example from which enthymemes can be formed: the historical example, drawn from reliable sources in history, and the invented example. The invented example

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[53] Ibid., p. 56.

[54] Ibid., p. 57.

Aristotle also subdivides into two classes: the illustrative parallel and the fable.[55] Enthymemes formulated from the example are based on induction and the analogical reasoning process, whereas the enthymemes drawn from probabilities and signs are based on deduction.[56] To summarize McBurney's interpretation up to this point: "An enthymeme, then, is a syllogism drawn from probable causes, signs (certain and fallible), and examples," starting with probable premises and lacking formal validity.[57] Refutative enthymemes are formed by either bringing up an objection to the preceding argument offered by the opponent or by the construction of a counter-syllogism or argument. McBurney makes an interesting comment in regard to such enthymemes when they are drawn from probabilities and signs: "it is impossible to refute enthymemes which reason from probabilities because the premises cannot be proven to be anything but probable," and the same holds true when the enthymemes are drawn from signs.[58]

Aristotle also states that maxims can be used

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[55] Ibid.

[56] Ibid., pp. 58-59.

[57] Ibid., p. 58.

[58] Ibid., p. 65.

as the basis of enthymemes. He defines a maxim as "a general sentiment (sententious generalization) respecting human life and action."[59]

Since Aristotle asserts the enthymeme to be the basis of logical proof in forensic speaking, the analysis of the orations is made to identify Shakespeare's use of the enthymeme and the enthymematic reasoning process. In addition to the identification of the enthymemes, the premises from which they are drawn is designated in terms of probabilities, signs, examples, maxims, and of refutation.

Aristotle has much to say in regard to the means of establishing logical proof in the forensic speaking situation. He first introduces the reader to the elements of this branch of rhetoric. They are, basically, "accusation and defense"; the time element is in the past--"for it is always with regard to things already done that the one party accuses and the other defends."[60] The "aim of judicial pleaders concerns justice and injustice and they in like manner make the other considerations subsidiary to these."[61] Since "expediency, justice, and honor, and their oppo-

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[59]Aristotle, op. cit., 2. 21, p. 150.

[60]Ibid., 1. 3, p. 17.

[61]Ibid., 1. 3, p. 19.

sites are the subjects," the speaker must treat these subjects in his proof.[62] Aristotle enumerates the four possible issues with which the judicial pleader will be concerned: (1) that the act was not committed; (2) that the act did no harm; (3) that the act did less harm than is alleged; and (4) that the act was justified; and he advises that the speaker's arguments should be drawn to demonstrate the invalidity of the accusation only in terms of one of these four issues.[63]

Treating the establishment of logical proof and the use of enthymemes in forensic speaking, the ancient says:

> Forensic speaking has to do with matters of fact--now true or untrue, and necessarily so; here strict proof is more feasible, since the past cannot change. But the enthymemes should not be given in an unbroken string; interweave them with different matter, or your arguments will damage each other's effect. There is a limit to the length of each series. . . . And avoid using the enthymeme when you are trying to stir emotion, for it will either dispel the emotion or itself be futile. . . .[64]
>
> If you have proofs of your case, then use them, and speak from moral character (use moral suasion) as well; if you have nothing for enthymemes, then rely upon moral suasion alone. After all, it is more in keeping with the true worth to reveal yourself as a man of probity than as short in argument.[65]

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[62] Ibid.

[63] Ibid., 3. 17, p. 233.

[64] Ibid., p. 234.

[65] Ibid., p. 235.

> short in argument.[65]
>
> to reveal yourself as a man of probity than as all. It is more in keeping with the true worth of a man, then rely upon moral suasion alone. After them, and speak from moral character (use moral suasion) as well; if you have nothing for enmity-
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> If you have proofs of your case, then use them with different methods, or your arguments will damage each other's effect. There is a limit to the length of each series. . . . And avoid using the enjoyment when you are trying to stir emotion, for it will either dispel the emotion or itself be futile. . . .[64]

Treating the establishment of logical proof and the use of enjoyments in forensic speaking, the ancient says:

> Forensic speaking has to do with matters of fact--now true or untrue, and necessarily so; here strict proof is more feasible, since the past cannot change. But the enjoyments should not be given in an unbroken string; interweave them with different methods, or your arguments will damage each other's effect. There is a limit to the length of each series. . . . And avoid using the enjoyment when you are trying to stir emotion, for it will either dispel the emo-

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[64] Ibid.

[65] Ibid., 3, 17, p. 252.

[66] Ibid., p. 254.

[67] Ibid., p. 256.

To shorten this presentation, mention will merely be made of other passages wherein Aristotle deals with the establishment of logical proof in the forensic speech: In Book III (for specific references, see footnotes), the rhetorician lists nine different ways of dealing with prejudice[66] and four ways of responding to interrogation.[67]

In consideration of the foregoing, the analysis of Shakespeare's use of logical proof in his orations first, identifies the enthymematic chain of reasoning and determines the premises of these enthymemes in terms of probabilities, signs, examples, maxims and refutation. Cursory attention is given to an identification of the issue at hand to determine which of the four possible issues in forensic speaking designated by Aristotle is involved in the oration. Notice is also given to determine to what extent the subjects of "expediency, justice, honor and their opposites" are incorporated into the proof of the speakers. The effectiveness of the established logical proof is evaluated along with the other aspects of the speech and the unique speaking situation. What Aristotle has said in regard to interrogation and dealing with prejudice (for brevity's sake these

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[66]Ibid., 3. 15, p. 226.

[67]Ibid., 3. 18, p. 238.

precepts are not discussed) will be kept in mind during the analysis; and if there is evidence of their use, the precepts involved are defined from The Rhetoric and are applied in the analysis.

In Book III of his work, Aristotle explains the structure or arrangement (taxis) of the speech, and again lays down certain rules to be applied in the forensic speaking situation. The basis of all speech structure, Aristotle says is that

> a Speech has two parts. Necessarily you state your case, and you prove it. In Rhetoric we must call these two processes, respectively, Statement and Argument.[68]

"Statement" and "Argument," then, are the basic essentials of a speech, and "at most the parts cannot exceed four--Proem, Statement, Argument, and Epilogue." Refutation of an opponent is part of the argument; narration is a variety of statement. Aristotle defines the epilogue and the proem as aids to memory.[69] Concerning their special use in forensic speaking, he states:

> The superlative function of the proem [is] to make clear the end and object of your work. And hence, if your matter is plain and short, a proem really should not be employed.[70]

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[68] Ibid., 1. 13, p. 220.

[69] Ibid., 3. 14, p. 220.

[70] Ibid. p. 223.

> Nor is the Epilogue always a part of the forensic speech; it is needless, for example, when the speech is short, or if the facts are easy to keep in mind; an epilogue serves to reduce the apparent length of your speech.[71]
>
> The Epilogue is made up of four elements. (1) You must render the audience well-disposed to yourself, and ill-disposed to your opponent; (2) you must magnify and depreciate (make whatever favors your case seem more important and whatever favors his case seem less); (3) you must put the audience into the right state of emotion; and (4) you must refresh their memories. (summary)[72]

It is clear from the above that Aristotle's precepts concerning the structure and arrangement of speeches are quite flexible and practical.

It is important to note his commentaries on the use of the narration in forensic speaking:

> The defence needs less narration . . . unless your story will bear on the contention [that] it was no injustice, or the like. Further, speak briefly of events as past and gone, except when representing them as present will excite pity and indignation. . . . The narration should depict character. . . . One thing that will give this quality is the revelation of moral purpose; for the quality of the ethos is determined by the quality of the purpose revealed--do not speak as if from the intellect after the fashion of the day: let the words come as if from a moral purpose: "This, I willed; aye, it was my natural choice; nay, though it profiteth me nothing, even so it was better."[73]
>
> And in narrating employ the traits of emotion. Use the symptoms familiar to all, and

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[72]Ibid., 3. 19, p. 240.

[73]Ibid., 3. 16, p. 230.

> any special signs of emotion in the defendant or his adversary.[74]

The foregoing precepts which Aristotle has formulated regarding the organization of the oration and its specific adaptations to forensic speaking are adopted as criteria for a structural analysis of the designated speeches. Aristotle's treatment of the use of narration to establish ethical and pathetic proof is obviously an overlapping of material for analysis. When such a narration appears in an oration, the narration is analyzed under both pathetic or ethical proof and structural analysis.

It will be recalled that Kennedy has examined the structure of Shakespeare's orations and has concluded that their quality steadily improved as the playwright's writing career progressed. In the plays of the first period, he has observed that the orations are "simple in structure" and "artificially set" into the milieu of the plot. In the second period, Kennedy cites Mowbray's defense against Bolingbroke (Richard II) as an example of an oration wherein Shakespeare "reveals a maturing sense for the use of argumentative rhetoric"; and says that this oration foreshadows the excellence of Hermione's speech of defense (The Winter's Tale) written approxi-

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[74]Ibid., p. 231.

mately fifteen years later.[75] When treating the third writing period, Kennedy states: "Whenever Shakespeare's hand touches the oration . . . , the maturity of his genius creates a work of finished rhetorical art."[76] It will be recalled that Kennedy cited Hermione's oration from the fourth period as the best example of Shakespeare's art, both in its rhetorical quality and in its dramatic integration into the play plot. Comparing the structure of the orations all the way from The Comedy of Errors to the plays from the third and fourth periods, Kennedy concludes: "Outline becomes more and more subdued as more and more effort and skill are devoted to feeling and expression."[77]

When commenting upon the overall structure of Shakespeare's orations, Kennedy leaves his Aristotelian poetic criteria and states: "The structure of Shakespeare's orations reveals their fidelity to the best classical tradition." By the term "classical," he is referring to Cicero, Quintilian and Thomas Wilson, in addition to Aristotle.[78] Through a review of the writings of these authorities on the subject

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[75]Kennedy, op. cit., pp. 104-105.

[76]Ibid., p. 107.

[77]Ibid., p. 111.

[78]Ibid., p. 147.

of structure or arrangement, he has demonstrated the similarities of their theories.[79] Considering this demonstration, and recalling Aristotle's own flexible treatment of the parts of the oration, this study proposes to examine the structure of the specified orations in terms of Aristotle's precepts to identify Shakespeare's use of the proem, statement, narration, argument, refutation, and epilogue. It is important here to mention that all these parts may not be found in one passage of speaking or may not be found within any one speech. Also, the forensic speech with its element of refutation or argument obviously involves more than one speaker. Then, too, Shakespeare's method of dramaturgy may have found it necessary to shift the position of a part of the oration, such as the introduction or proem, to some source other than the main speaker.

To summarize this point of analysis: the orations are analyzed both according to the general precepts of Aristotle concerning the parts and arrangement of a speech, and according to the specific precepts concerning forensic speaking. Attention is also given to the structural development of the orations which Kennedy has partially treated in his

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[79] Ibid., pp. 116-129.

work.[80] A comparison of the structure of the orations is made to determine both their differences and the ways in which Kennedy considers the later ones to have improved upon the earlier orations. The structure of Hermione's oration (The Winter's Tale) is adopted as the criterion for this comparison.

In Book III of The Rhetoric, Aristotle states:

> The provinces of study which concern the making of a speech are three: (1) the means of effecting persuasion (the four modes of proof); (2) the style; and (3) the right ordering of the several divisions of the whole.[81]

Up to this point the criteria established for analysis have included Aristotle's first and third parts of "The provinces of study which concern the making of a speech." It remains to treat part two, the style. To Aristotle, style, or lexis, meant the way in which the thoughts of the speaker are expressed. Lexis involved "choice of words, syntax, and delivery."[82]

In his book, Kennedy states that he has made "no attempt to analyze the eloquence of Shakespeare's orations."[83] It should be remembered also that in his general treatment of the structure of the orations,

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[80] Ibid., 103-147.

[81] Aristotle, op. cit., 3. 1, p. 182.

[82] Ibid.

[83] Kennedy, op. cit., p. 141.

while it has been partially drawn from the third book of The Rhetoric, Kennedy has coupled Aristotle's precepts with those of other classical rhetoricians. His treatment of the orations in the Aristotelian vein does not embrace a consideration of the "choice of words" and "syntax"; and for this reason, his conclusion that Shakespeare "perfected the revival of the ancient rhetoric in poetic" is based on incomplete evidence. Since this study has adopted Kennedy's conclusion as its basic hypothesis, however, it seems wise to execute an analysis only of those Aristotelian elements discussed by Kennedy.

In addition to this reason for omitting a consideration of style, certain other problems are also apparent. In Book III, for example, Aristotle speaks of the "golden mean" of expression as it applies to prose, while Shakespeare's orations are written in poetic form.[84] Also, the ancient rhetorician explained the subject of lexis for the student of oral discourse. It is well-known, however, that rhetoric in the Renaissance was predominantly a theory of composition rather than a theory of oral persuasive discourse. The nature of this theory of rhetorical composition, revealed by Morris Croll in his introduction to

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[84] Op. cit., 3. 2, p. 185.

Euphues; The Anatomy of Wit; Euphues and His England, further complicates the problem when one considers an analysis of Shakespeare's poetic drama in terms of Aristotelian prose precepts. Breaking in on Croll as he is discussing the schemes and figures (the devices by which composition was written in the Renaissance), we learn of the precipitating reason for the predominance of the ornateness of expression in Renaissance rhetoric:

> What new charm did the schemes have in the sixteenth century? We might answer that the love for all forms of ornateness, characteristic of the Renaissance, would alone have served to revive the schemata. But the true explanation of the phenomenon is certainly that now for the first time these figures appeared in an artistic and elaborate use in the vernacular. The novelty consists, not in the figures themselves, but in the fact that they are sounded on a new instrument, and that an art which had been the possession of clerks alone becomes the property of men and women of the world. In the history of fashions there are episodes much stranger than this.[85]

In regard to the influence of this rhetorical ornateness of expression upon Shakespeare's composition in particular, James E. Wade in his dissertation, Mediaeval Rhetoric in Shakespeare, studied intensively Shakespeare's early poems Venus and Adonis and The Rape of Lucrece to note the playwright's use of the

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[85]Morris Wm. Croll, Euphues: The Anatomy of Wit; Euphues and His England by John Lyly, ed. Harry Clemon and Morris Wm. Croll, (London & New York, 1916), see "Introduction," p. liv.

theory of rhetorical composition as it was taught in the grammar schools of the day." In addition to this main area of concentration, Wade conducted a survey of twelve plays ranging from 1590 to 1610. One of the conclusions of his study is that the rhetorical theory of the Middle Ages "accounts for part of Shakespeare's linguistic effects in his drama."[86] As Shakespeare's art became more mature, the rhetorical ornamentation was subordinated to his poetic and dramatic purposes, but he never ceased using the ornamental rhetoric which was passed on to the Renaissance through the Middle Ages.[87] Wade states that this ornamental rhetoric was less distinguishable in Shakespeare's later plays because it became "an integral part of his imagery and functional use of language." But, when Shakespeare wrote his last plays, (1609 to 1611), Wade points out that "the mediaeval tradition was not dead." His plays were still being written for a "rhetoric-minded audience."[88]

Wade and Kennedy agree, then, that Shakespeare's use of language became less distinguishably ornate as the playwright's career progressed. Wade states, however, that his composition near the termination of

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[86]Wade, op. cit., p. 155.

[87]Ibid., p. 37, see footnote 14.

[88]Ibid., p. 38.

his career still contained rhetorical elements inherited from the mediaeval tradition and that Shakespeare was still writing for an audience which expected and appreciated an ornate mode of expression. It seems reasonable, then, if Shakespeare's composition was congruous with the rhetorical theory of his time, and Wade concludes that it was, that his use of style would not be Aristotelian, even though other aspects of his rhetoric in the orations of his later plays were--as Kennedy has observed.

The foregoing material is included to demonstrate the reasons for the writer's withdrawal from attempting an analysis of the style of Shakespeare's orations in terms of Aristotle's Book III of The Rhetoric. Scholars have been and are still contending the moot question: Did Shakespeare know of and incorporate Aristotle's Poetics into his dramaturgy? (As has been previously noted, Kennedy discusses this question.)[89] The incongruous points of view presented and the foregoing paramount question produce a problem which is too broad and too involved to be treated in this study. Some mention is made of style in connection with the analysis of the three modes of proof; but Shakespeare's syntax and his choice of words is not analyzed in terms of the Aristotelian

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[89]Kennedy, op. cit., pp. 218-246.

conception of the "golden mean" of expression, or "lexis," per se. The examination of the orations applies only Aristotle's precepts concerning the structure and arrangement of speeches from Book III of The Rhetoric.

The scope of analysis: This analysis treats the twelve forensic orations from the plays of Shakespeare as they are listed on page twenty-five.

The methodology of analysis: The overall methodology of this analysis is based on comparison. Hermione's oration from The Winter's Tale is analyzed and evaluated in terms of the Aristotelian rhetorical criteria which are hereafter summarized. The other orations are analyzed through the use of annotated manuscripts of the speeches, i.e., each oration is examined by the application of the same Aristotelian principles which are applied to the fore-mentioned oration, but the analysis does not include a lengthy explanation of the Aristotelian elements found therein. In the concluding chapter of this study the results of these analyses are summarized and compared to Hermione's oration. The excellency of Hermione's speech, then, is adopted as a criterion of evaluation and it is applied to the other orations to ascertain their qualities and merits. The reasons for the improving quality in Shakespeare's orations as re-

corded in Kennedy are made more discernable by following this procedure.

The Aristotelian rhetorical principles which are basic to the analysis:

I. An Analysis of the Non-Artistic Proofs is Concerned with:
   A. An identification of the speaker's use of a mode of non-artistic proof.
   B. An evaluation of its use, per se, and in its relation to the other aspects of the speech with consideration of the dramatic circumstances.

II. The Three Modes of Artistic Proof.
   A. The analysis of the speaker's use of ethical proof is concerned with the following:
      1. The identification of the utterances, techniques, or methods used by the speaker to establish ethical proof.
      2. An evaluation of the speaker's use of ethical proof, per se, and in its relation to the other aspects of the speech with consideration of the dramatic circumstances.
   B. The analysis of the speaker's use of pathetic proof is concerned with the following:
      1. The specific emotion produced by the speech is identified.
      2. The means by which the speaker has established emotion proof is identified and analyzed with consideration of the dramatic circumstances.
      3. The speaker's use of pathetic proof, per se, and in its relation to the other aspects of speech with consideration of the dramatic circumstances.
   C. The analysis of the speaker's use of logical proof is concerned with the following:
      1. An identification of the enthymemes and the premises from which they are drawn is made.
      2. An evaluation of the speaker's use of the enthymematic reasoning process, per se, and in its relation to the other aspects of the speech with consideration of the dramatic circumstances.

3. An identification, analysis, and evaluation of speaker's use of those Aristotelian precepts which pertain specifically to the establishment of logical proof in forensic speaking is made. The evaluation is made by considering them in relation to the other aspects of the speech and with consideration of the dramatic circumstances.
4. An identification of the issue with which the speech is involved in terms of Aristotle's four possible issues of forensic speaking, (see page 44) and an identification of the subjects of forensic speaking (see page 43).

III. The Analysis of the Structure of the Orations Includes:
   A. An identification of the parts of the oration.
   B. An identification of the speaker's use of the narration to establish either pathetic or ethical proof.
   C. An evaluation of the speaker's use of the narration to establish either pathetic or ethical proof, per se, and in its relationship to the other aspects of the speech with consideration of the dramatic circumstances. (This evaluation is treated under either ethical or pathetic proof.)

CHAPTER III

ANALYSIS OF THE ORATION OF HERMIONE FROM THE WINTER'S TALE

This chapter is devoted to a detailed rhetorical analysis of Hermione's oration, applying the Aristotelian principles which are set forth in the foregoing chapter. The analysis includes: 1) a review of the dramatic setting in which the oration is delivered; 2) an analysis of the structure of the oration; 3) the identification of the artistic and non-artistic proofs which are used; 4) the identification and evaluation of the enthymemes presented, and 5) an evaluation of the ethical and pathetic appeals which are made.

Dramatic Setting

Polixenes, King of Bohemia, has been visiting at the court of his life-long friend, Leontes, King of Sicilia for nine months. When Polixenes announces that he must return to his kingdom, his host pleads with him to stay longer. When his request leaves Polixenes' plans unaltered, Leontes urges his wife, Hermione, to speak for him. Hermione's grace, charm, and clever petition win the debate, and Polixenes

agrees to extend his visit. As Hermione and Polixenes are enjoying each other's company, Leontes notices from a distance the intimacy that exists between his wife and his friend. His mind dwells upon it. He gives the couple by his command leisure time together. His imagination, piqued by jealousy, grows until he is convinced of Hermione's infidelity and convinced that the child she is carrying is Polixenes', not his own. He relates his suspicions to Camillo, a faithful lord of the court. Camillo attempts to persuade his king of the absurdity of such a suspicion, but Leontes' mind remains adamant. He instructs Camillo to poison Polixenes. Camillo agrees for the moment, but only for the purpose of evading the king's company long enough to inform Polixenes of the danger. This being accomplished, Camillo and Polixenes leave the court that night for Bohemia. To Leontes, their abrupt departure confirms Hermione's guilt. He openly accuses her of being an adulteress and a traitor by conspiring with Camillo to take his life. Hermione and the court are aghast at his charge. To convince the court that he is right, Leontes sends two messengers to the oracle at Delphos to obtain Apollo's sanction of his actions. There is an interim of twenty-three days before the two messengers return, during which time Hermione gives birth to a daughter in prison. Paulina, a lady of the court,

takes the child to Leontes, hoping that the sight of the newly-born might oust from the king his jealous obsession. Leontes, upon seeing the child, denies that it is his. He orders that the babe be burned. Antigonus, Paulina's husband, pleads for the life of the innocent. Leontes responds by lessening the severity of his first order, and commands Antigonus to take the child into the wilderness and there to leave her. Antigonus reluctantly agrees. When the two messengers arrive from Delphos, Leontes calls a court of justice, over which he presides, to try Hermione upon the charges of adultery and conspiracy. Leontes opens the court by announcing his desire for justice to be accomplished. Hermione is brought in. The officer at Leontes' command reads the indictment, and the queen begins her oration of defense.

The following manuscript of Hermione's oration is annotated only to indicate the parts (structure) of the oration and to identify the speaker's use of enthymemes and the premises from which they are drawn. These and the other aspects of the analysis are treated in detail later in the chapter.

AN ANNOTATED MANUSCRIPT OF HERMIONE'S ORATION

LEONTES
Read the indictment

OFFICER
Hermione, queen to the worthy Leontes, King of Sicilia, that art here accusedand arraigned of high treason, in committing adultery with Polixenes, King of Bohemia, and conspiring with Camillo to take away the life of our sovereign lord the king, thy royal husband: the pretense whereof being by circumstances partly laid open, thou Hermione, contrary to the faith and allegiance of a true subject, didst counsel and aid them for their better safety, to fly away by night.

HERMIONE

Statement — [1]Since what I am to say must be but that

Enthymeme based on 1) sign (certain fact), and 2) maxim. — Which contradicts my accusation, and

The testimony of my part no other

But what comes from myself, it shall scarce boot me

To say "not guilty": [2]mine integrity,

Being counted falsehood, shall, as I express it,

Be so received./ But thus, if powers divine

Enthymeme based on probability. — Behold our human actions, as they do,

I doubt not then but innocence shall make

Narration	False accusation blush, and tyranny
Enthymeme based on an analogy and implied reasoning.	Tremble at patience./ You, my lord, best know,
	What least will seem to do so, my past life
	Hath been as continent, as chaste, as true,
	As I am now unhappy; which is more
Narration--continued.	Than history can pattern, though devised and
	Play'd to take spectators. For behold me
	A fellow of the royal bed, which owe
	A moiety of the throne, a great king's daughter,
	The mother to a hopeful prince, here standing
	To prate and talk for life and honour 'fore
Statement	Who please to come and hear./ For life, I prize it
	As I weigh grief, which I would spare: for honour,
	'Tis a derivative from me to mine,
Enthymeme based on 1) certain sign and 2) probability which is contingent upon the foregoing sign premises.	And only that I stand for. [1] I appeal
	To your own conscience, sir, before Polixenes
	Came to your court, how I was in your grace,
	How merited to be so; [2] since he came,

With what encounter so uncurrent I
Have strain'd to appear thus: if one jot beyond
The bound of honour, or in act or will
That way inclining, harden'd be the hearts
Of all that hear me, and my near'st of kin
Cry fie upon my grave!

Argument-Refutation

LEONTES
I ne'er heard yet
That any of these bolder vices wanted
Less impudence to gainsay what they did
Than to perform it first.

Refutation enthymeme based on objection.

HERMIONE
That's true enough;
Though 'tis a saying, sir, not due to me.

LEONTES
You will not own it.

Refutative enthymeme based on objection

HERMIONE
More than mistress of
Which comes to me in name of fault, I must not
At all acknowledge./ For Polixenes,
With whom I am accused, I do confess

Enthymeme based on 1) sign (certain fact), and 2) analogy.

I loved him as in honour he required,
With such a kind of love as might become
A lady like me, [1]with a love even such,
So and no other, as yourself commanded;
[2]Which not to have done I think had been in me
Both disobedience and ingratitude
To you and toward your friend; whose love had spoke,
Even since it could speak, from an infant, freely
That it was yours./ Now, for conspiracy,

Enthymeme based on objection

I know not how it tastes; though it be dish'd
For me to try how: all I know of it
Is that Camillo was an honest man;
And why he left your court, the gods themselves,
Wotting no more than I, are ignorant.

LEONTES

You knew of his departure, as you know
What you have undertaken to do in 's absence.

HERMIONE

Sir,

Refutative

You speak a language that I understand not:

enthymeme based on objection.

My life stands in the level of your dreams,

Which I'll lay down.

LEONTES

Your actions are my dreams:
You had a bastard by Polixenes,
And I but dream'd it. As you were past all shame--
Those of your fact are so--so past all truth:
Which to deny concerns more than avails; for as
Thy brat hath been cast out, like to itself,
No father owning it,--which is indeed,
More criminal in thee than it,--so thou
Shalt feel our justice, in whose easiest passage
Look for no less than death.

Refutative enthymeme based on counter argument (six certain signs).

HERMIONE

Sir, spare your threats:

The bug which you would fright me with I seek.

To me can life be no commodity:

The crown and comfort of my life, your favour,

I do give lost; for I do feel it gone,

But know not how it went./ My second joy

And the first-fruits of my body, from his presence

I am barr'd, like one infectious./ [3]My third comfort,

Starr'd most unluckily, is from my breast,

The innocent milk in its most innocent mouth,
Haled out to murder:/ [4]myself on every post
Proclaim'd a strumpet:/ [5]with immodest hatred
The child-bed privilege denied, which 'longs
To women of all fashion;/ [6]lastly, hurried
Here to this place, i' the open air, before
I have got strength of limit./ Now, my liege,
Tell me what blessings I have here alive,
That I should fear to die?/ Therefore proceed,
But yet hear this; mistake me not; no life,
I prize it not a straw, but for mine honour,
Which I would free, if I shall be condemn'd
Upon surmises, all proofs sleeping else
But what your jealousies awake, I tell you
'Tis rigour and not law. Your honours all,
I do refer me to the oracle:
Apollo be my judge!

Epilogue

Enthymeme based on probability or certain sign: jealousy

Non-Artistic Proof: Witness

Message from the Oracle:
Hermione is chaste; Polixenes blameless; Camillo a true subject; Leontes a jealous tyrant; his innocent babe is truly begotten; and the king shall live without an heir if that which is lost be not found.

Structure

An analysis of the structure and arrangement of Hermione's oration reveals that the speech contains all of the parts which Aristotle has treated in Book III of The Rhetoric, and that the use of these parts is in harmony with Aristotelian precepts. The proem or introduction, due to the dramatic circumstances, has been shifted to a source other than the speaker. Aristotle has said that the function of the proem is to reveal to the audience the nature of the subject matter that will be treated in the speech. The indictment accomplishes this in a succinct and dramatic way. Hermione's speech begins with the "statement" which reveals the point of view that she maintains throughout the speech. She frankly admits the futility of pleading "not guilty" and states that she finds solace in her belief that the gods will defend the innocent. According to Aristotle, a "narration" may be included in the statement part of a speech. A short narration does follow Hermione's reference to the gods. It's brevity also coincides with Aristotle's precepts regarding the use of the narration in forensic speaking: "The defence needs less narration . . . unless your story will bear on the contention . . . it was no injustice or the like."

In addition to its brevity, Hermione uses the narration to point up the disgrace and injustice involved in her having to defend her honor publicly. Hence, the content of the narration is also in harmony with Aristotelian precepts. The "argument" is the third part of an oration; it may contain elements of refutation. Both argument and refutation are to be found in Hermione's speech. Aristotle, it will be recalled, formulated four precepts by which the use of the epilogue should be governed. Hermione's closing statements seem to fulfill these four precepts adequately: She makes the audience "well-disposed to her by placing a higher regard upon her honor than upon her life. She makes the audience "ill-disposed" to Leontes by merely mentioning that he might take her life. She magnifies her case and minifies his case by pointing up that Leontes would be a traducer of justice if he condemned her without having sufficient proof of her guilt. Through a treatment of the above subjects, she puts her audience into a sympathetic state of mind as she simultaneously refreshes their memories.

This portion of the analysis has demonstrated that the parts and the use of the parts of the oration as they were conceived by Aristotle are effectively incorporated into Hermione's oration of defense.

Before passing into another phase of the analysis, it should be mentioned that a mode of non-artistic proof is used in the forensic scene. Leontes, it will be recalled, sent two of his lords to obtain the oracle's confirmation and sanction of his action. The oracle's message is read directly following the queen's speech, and it serves as witness to the validity of her arguments. Hermione incorporates the oracle's testimony into her speech by her closing statement:

> You honours all,
> I do refer me to the oracle.
> Apollo be my judge!

Logical Proof

It will be recalled that Aristotle formulated nine lines of arguments which pertain to forensic speaking in particular. It will be demonstrated that Hermione incorporates two of these lines of argument in her speech. The two are as follows:

> One procedure is the use of those arguments with which you would clear yourself of any injurious suspicions no matter if the suspicion has been uttered.
>
> Another is an open counter on definite issues; you either deny the alleged fact; or you deny that what you did was unfair; or you say that it was not disgraceful, or much out of the way.[1]

It will also be recalled that Aristotle had stated:

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[1]Aristotle, op. cit., 3. 15, p. 226.

"expediency, justice, and honor and their opposites are the subjects" with which a forensic pleader should concern himself. It will also be demonstrated that Hermione's arguments are largely concerned with the subjects of justice and injustice, honor and dishonor.

Hermione's oration contains a complex enthymematic chain of reasoning which serves to establish her innocence by the weight of ethical proof more than by the logical proof. The ethical proof aspects will be dealt with in detail later.

The arguments which Hermione offers in her defense may seem somewhat tempered and limited in subject matter. It is obvious that she is speaking for the most part to her husband, Leontes, and herein lies the reason for her speaking as she does. Every other person in her audience knows she is innocent and knows that she is the victim of an unwarranted spasm of jealousy suffered by Leontes. Keeping these circumstances in mind, the analysis will proceed by identifying the enthymemes and indicating the premises from which they are drawn. Comments upon the relationships of one line of argument to other portions of the speech will be made whenever such a comment might point up the unity of the speech.

The first enthymeme, appearing at the very

beginning of the oration, is as follows:

> Since what I am to say must be but that
> Which contradicts my accusation, and
> The testimony of my part no other
> But that which comes from myself, it shall
> scarce boot me
> To say "not guilty": my integrity
> Being counted false, shall as I express it,
> Be so received.

In reality, the above is not an argument of defense in the strict sense of the word. It is a means by which Hermione announces the fruitlessness of pleading her innocence to all those who know her to be innocent and to her husband-judge, who is convinced of her guilt before the trial begins. Nevertheless, the enthymeme contains sound rhetorical reasoning. The bases of the enthymeme are two-fold: it is drawn from a certain sign and from a maxim. The certain sign is the obvious fact: her testimony refutes her accusation. The maxim is based on a generalized conception: i.e. if a person's character is considered false, then what he says will likewise be considered false.

Hermione's second enthymeme is based on probability--her belief that the gods will defend the right and will guard the innocent.

> . . . But then, if powers divine
> Behold our human actions, as they do,
> I doubt not then but innocence shall make
> False accusation blush, and tyranny
> Tremble at patience.

It might be mentioned here that in Elizabethan times

such a belief was pervasive among the people. Due to the scarcity of law courts and judges, it was not an uncommon occurrence for an offended party to challenge the offender to a duel.[2] This practice was not thought to be wrong or unjust to either party because of the belief that God would defend the person who was right, and that He would see the unjust punished. This argument, then, would have held even more weight as an argument in Elizabethan times, because its substance reflects the religious beliefs of that period.

The premises of the queen's next enthymeme are difficult to classify. The enthymeme is as follows:

> You, my lord, best know
> What least will seem to do so, my past life
> Hath been as continent, as chaste, as true
> As I am now unhappy.

In one sense, the enthymeme appears to be based on a fallacious analogy, i.e., the fact that she is "now unhappy" seems to have little to do with the fidelity of her past life. There is, however, some implied reasoning within the enthymeme that is not accounted for by this explanation. Hermione is drawing a parallel between the fidelity of her past and

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[2]Shakespeare's England: An Account of the Life and Manners of His Age (2 vols.; London: Oxford University Press, 1916) Vol. I, p. 390.

her abused state of innocence in the present. Her unhappiness testifies to the truthfulness of her past life as it simultaneously evinces her sorrow in the present. The enthymeme also exhibits some characteristics of a maxim. For example, a maxim-like belief regarding the consistency of a person's actions over a period of time is also implied within the premises of the enthymeme, relating it to a later enthymeme which is concerned with the subject of honor:

> I appeal
> To your own conscience, sir, before Polixenes
> Came to your court, how I was in your grace,
> How merited to be so; since he came,
> With what encounter so uncurrent I
> Have strain'd to appear thus: if one jot
> beyond
> The bound of honour, or in act or will
> That way inclining, harden'd be the hearts
> Of all that hear me, and my near'st of kin
> Cry fie upon my grave!

The basis of this enthymeme is two-fold: one premise is based on the certain sign: "before Polixenes came to your court, how I was in your graces." The other lies in the realm of probability. It is concerned with the same maxim-like notion of a person's maintainance of a consistency of character or actions which was previously referred to. In other words, if up to the time of Polixenes' visit, Hermione had been true, why should her fidelity be questioned while he was visiting the court?

Honor--not to preserve her life, but to free her honor from the stain of false accusation--is Hermione's main concern in her speech. She states this desire twice within the speech, using assertions which are void of logical substantiation:

> . . . for honour,
> 'Tis a derivative from me to mine,
> And only that I stand for.

Later, near the close of the oration, she adds, ". . . no life, I prize it not a straw, but for mine honor, which I would free."

The preservation of one's honor was a moot issue in Shakespeare's time, and Hermione's concern for her tainted reputation would have been accepted by Shakespeare's viewers as a sound and a necessary point. The prevelance of the theme of honor in other Shakespearean plays reflects the pervasiveness of the concern which Elizabethans exercised over the subject of one's personal honor: Hotspur in Henry IV was portrayed as the man of honor; Falstaff, when contemplating the dangers of warfare in Henry V, rejected the doctrine of honor because it could not restore a cut-off leg or bring a man back from hell; Hamlet had to bring Claudius to a state of confession to preserve his honor and to restore the honor of his mother; Othello killed Desdemona to defend his honor and the honor of manhood, in general; Richard II was more distressed over losing

his honor than he was about losing his throne to Bolingbroke, etc. Hermione's argument or her concern for defending her honor, although she employs the logical (enthymematic) reasoning only once while treating the subject, would have been considered an argument from the Elizabethan point-of-view by the mere unsubstantiated assertion: " . . . but foremost to me is honor."

The three enthymemes reviewed up to this point are in harmony with Aristotle's first precept concerning the "lines of argument" which one should follow in forensic speaking (means of dealing with prejudice). It will be recalled that Aristotle instructed the forensic pleader to use "those arguments with which you would clear yourself of any injurious suspicions." Hermione's first argument (enthymeme) dealing with the futility of pleading "not guilty" establishes her frankness and her acceptance of the situation in which she finds herself. She has nothing to hide, and she adopts this point of view by her first utterance. Her second line of argument, wherein she acknowledges her belief that the gods will aid the right, augments the weight or effectiveness of her opening indirect statement of innocence. The enthymeme on the subject of honor further adds to her attempt to clear herself "of any injurious suspicions." The subject of honor is used

frequently during the remainder of the oration, and through this repetitive usage, Hermione effectively incorporates Aristotle's instructions throughout the remaining portions of her oration..

During the argumentative dialogue between Leontes and Hermione, the queen uses two refutative enthymemes by bringing up an objection to the accusations pressed upon her by her husband. They contain no logical attributes in themselves, but they serve to motivate Hermione's entrance into the main issue of her trial, the alleged adultery with Polixenes:

> For Polixenes,
> With whom I am accused, I do confess
> I loved him as in honour he required,
> With such a kind of love as might become
> A lady like me, with a love even such
> So and no other, as yourself commanded:
> Which not to have done I think had been in me
> Both disobedience and ingratitude
> To you and your friend; whose love had spoke,
> Ever since it could speak, from an infant,
> freely
> That it was yours.

Her argument on this point is offered in the form of an enthymeme based on a certain sign and on analogical reasoning. Hermione first states that she loved Polixenes honorably. The theme of honor recurs; and though it is used in a slightly different sense, it ties this argument in with the one previously treated (her honorable actions during Polixenes' stay at court) and with her two assertions regarding honor--one appearing near the beginning of the speech and

one at the close of the oration. Her reasons for loving Polixenes "honorably" are two-fold: 1) her husband had commanded her to love him (the certain sign), and 2) because of the example of love which had existed between the two men from the time of their boyhood (analogical reasoning). Because Polixenes had given "freely" of his love to her husband, she naturally would return that love as Leontes' honorable wife.

Hermione's argument exerts more influence if one is acquainted with the concept of true friendship in Elizabethan days: the friendship between two men was thought to be a higher form of relationship than the love between a man and a woman. Unlike sexual love, it transcended the physical and entered into the realm of the spiritual.[3] For Hermione to justify her love for Polixenes because of his friendship with her husband, it seems, would have been acceptable argumentation in the eyes of the Elizabethan viewers.

The speaker's next three enthymemes are drawn from the premises of refutation. She, through objection, refutes the charge of conspiracy with Camillo:

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[3]Mary Crapo Hyde, Playwriting for Elizabethans, (New York: The Columbia University Press, 1949), p. 156.

> Now, for conspiracy,
> I know not how it tastes; though it be dish'd
> For me to try how: all I know of it
> Is that Camillo was an honest man;
> And why he left your court, the gods themselves,
> Wotting no more than I, are ignorant.

She likewise refutes Leontes' accusation regarding her alleged knowledge of Camillo's departure. In answer to her husband's death sentence, she constructs the following refutative enthymeme based on a counter-syllogism:

> Sir, spare your threats:
> The but which you would fright me with I seek.
> To me can life be no commodity:
> The crown and comfort of my life, your favour,
> I do give lost; for I do feel it gone,
> But know not how it went. My second joy,
> And first-fruits of my body, from his presence
> I am barr'd, like one infectious. My third comfort,
> Starr'd most unluckily, is from my breast,
> The innocent milk in its most innocent mouth,
> Haled out to murder; myself on every post
> Proclaim'd a strumpet; with immodest hatred
> The child-bed privilege denied, which 'longs
> To women of all fashion; lastly, hurried
> Here to this place, i' the open air, before
> I have got strength of limit. Now, my liege,
> Tell me what blessings I have here alive,
> That I should fear to die?

In the above, Hemione states that life is no longer worth living, substantiating her assertion with six reasons drawn from certain signs. These six reasons contain six injustices which have been unwarrantedly committed upon her honor or upon her person. After enumerating these six reasons or injustices, Hermione effectively concludes her argument by asking her husband-judge, why she should be

afraid of death? The foregoing argument constitutes the logical climax of the speech and the emotional climax as well. The latter will be demonstrated in the analysis devoted to the speaker's use of pathetic proof.

Hermione's last enthymeme is drawn from the premises of probability:

> If I shall be condemn'd
> Upon surmises, all proofs sleeping else
> But what your jealousies awake, I tell you
> 'Tis rigour and not law.

In the above she simply reveals to Leontes the source of the trouble between them, and she argues that her punishment would be unjustified if she were to be judged and condemned on the "surmises" of jealousy, and not by the judgment of law.

It will be recalled that in Aristotle's second precept concerning the lines of argument which should be followed in forensic speaking, he instructed the speaker to make "an open counter on definite issues." Hermione's method of voicing her defense is also in line with this precept. She speaks openly and effectively on both charges; and she further admits that she loved Polixenes, but, using Aristotle's own words, she argues that her love "was not disgraceful or much out of the way." The substance of Hermione's arguments are also in harmony with Aristotle's conception of what should constitute

the subjects of forensic speaking. It is evident from the foregoing analysis that Hermione's arguments have been largely concerned with the subjects of justice and injustice and honor and dishonor.

In regard to an evaluation of the enthymematic reasoning process, it can be stated that the reasoning appears to be rhetorically-sound. With further analysis, it also becomes evident that the use of logical proof in Hermione's oration has been subordinated to the speaker's main purpose of refuting her accusation by the establishment of ethical proof. The enthymemes are drawn largely from premises dealing with honor and dishonor; Hermione's belief in the goodness of the gods, and justice and injustice. The substance of these rhetorically-sound enthymemes, then, and their effective use in the oration serve to establish Hermione's ethical proof as well as to present logical reasons for argument.

Ethical Proof

Emotional appeals and ethos-establishing elements are especially hard to distinguish as separate entities. This point is verified by Thonssen and Baird when they say:

> It is apparent that the distinction between emotional and ethical proof is not always clear; and in some instances it may be virtually nonexistent. Ethos and

pathos have, indeed, much in common.[4]

Keeping the above in mind, the procedure for this analysis will be to comment upon the use of certain methods and utterances by which Hermione establishes her ethical proof. At times the specific point under consideration is related to the general theme of her speech.

In Hermione's opening statement, transposing Shakespeare into the layman's vernacular, she says: "It's useless for me to plead 'not guilty' because my testimony refutes my accusation; it will be held false as I am held false." By a complete directness of expression and a frank recognition of the true circumstances confronting her, Hermione thus indirectly establishes an element of her ethical proof by her first utterance. In her following statement, wherein she acknowledges her belief in the gods and their vigilance in guarding the wronged, she states in effectively personified form: "innocence shall make false accusation blush, and tyranny tremble at patience." There are at least three distinguishable ethos-producing elements inherent within this statement. Foremost is the simple assertion manifesting her belief in the goodness of the "powers divine."

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[4]A. Craig Baird and Lester Thonssen, Speech Criticism, (New York: The Ronald Press Company, 1948), p. 386.

Secondly and thirdly, in her generalization regarding the ability of "innocence" and "patience," with the aid of the gods, to stand their ground against "false accusation" and "tyranny," she subtly suggests that she is being falsely accused and that she is patiently withstanding her burden. Certainly, these last two utterances would evoke an emotional response from her auditors, and in addition, they are contained within an enthymeme based on probability. Thus, the discretion--the good taste, if you will--with which she states that she has been wronged and that she is forebearing her predicament reflects the character of a brave, tolerant, and judicious woman.

Hermione addresses her judge-husband, placing her past life before him. She refers to her past life with him by simply stating that it "is more than history can pattern though devised and play'd to take spectators." The foregoing phrase reflects Hermione's refusal to put their life on display and her refusal to enter into a theatrical rendition of it for the benefit of her auditors. Through the use of such restraint the speaker's dignity is again reflected, and implicit within the statement is the personal reverence which she maintains for the love that had existed between

them. Hermione continues her narration in this vein by merely mentioning their relationship as husband and wife; that she is the daughter of a "great king," and the mother of his "hopeful" prince. It is evident that this narration could have easily contained an emotional tirade, and the absence of such a device operates an ethos-producing circumstance.

Hermione now enters into the main theme of her oration and states the main argument by which she attempts to refute the accusation confronting her:

> . . . for honour,
> 'Tis a derivative from me to mine,
> And only that I stand for.

She reminds her husband of the honorable place she had occupied in his eyes before Polixenes came, and she affirms she acted "honorably" during his nine months stay at the court. She adds to this affirmation the self-imposed punishment which she will bear if she is not telling the truth.

> . . . if one jot beyond
> The bound of honour, or in act or will
> That way inclining, harden'd be the hearts
> Of all that hear me, and my near'st kin
> Cry fie upon my grave!

The above definitely has pathetic proof elements within it, but the way in which it is used establishes ethical proof as well. Hermione's willingness to receive censorship and punishment, a punish-

ment which would be administered by all those who are dear to her, augments her ethical appeal.

While engaged in refutation Hermione remains calm, and she politely denies his accusations. Of her own accord, she refutes her alleged adulterous relations with Polixenes. She states she loved him "honorably" as would have been expected of her. Again, of her own volition, she denies the conspiracy charge. She states her opinion of Camillo, "an honest man," and adds that she is totally uninformed as to the reason for his abrupt departure. Leontes, becoming angered by her denials, presses the point of conspiracy further. At this point, Hermione tries to reconcile his husband's erroneous thoughts by giving him an opportunity to admit he is wrong. Politely, she says:

> Sir,
> You speak a language that I understand not:
> My life stands in the level of your dreams;
> Which I'll lay down.

Leontes, however, is in no mood to be reconciled. He snatches up the word "dreams," using it in a context which implies the meaning of nightmare, and proceeds to enlarge upon the ignominy of her crime, ending his tirade with a sentence of death. Hermione, now realizing the incorrigible state of her husband's mind, refutes the punishing-power of his edict by arguing that life is no longer meaningful

and that death would be a balm to her sorrows. Although the speaker's argument is decidedly pathetic in nature, the metaphorical expressions which she incorporates in the first three minor premises of the argument indirectly add to her ethical character. Hermione argues:

> To me can life be no commodity:
> The crown and comfort of my life, your favor,
> I do give lost; for I do feel it gone,
> But know not how it went. My second joy
> And first fruits of my body, from his presence
> I am barr'd like one infectious. My third
> comfort,
> Starr'd most unluckily is from my breast
> The innocent milk in its most innocent
> mouth,
> Haled to murder: . . .

Through the use of the phrase, "The crown and comfort of my life," Hermione demonstrates that she values the love of her husband above all other things in life; and thereby, she manifests an element of good will to her judge and to her audience. Her "second joy" is likewise his joy, and by this expression she demonstrates that her values are synonymous with his. By referring to her newly-born as "My third comfort" she infers that the child was fathered by Leontes. In addition, the phrase, "The innocent milk in its most innocent mouth," indirectly declares her innocence. The restrained and subtle references to the plight of the child also offer both ethical and pathetic appeals in that they stress the wrong

done to the "innocence."

In the closing portions of her oration, Hermione reiterates that freeing her tainted honor is of more importance to her than saving her life. Realizing that her openness and frankness of speech and her exposition on honor have not altered Leontes' obsession of her guilt, she braves to touch upon the crux of the dispute. She tells him that justice will not be accomplished by a judgment which is piqued by jealousy. Such a pointed declaration would by no means pacify the attitude of her judge. Up to this point, Hermione has spoken directly to her husband, but she knows that her arguments have been ineffective in his eyes. Inadvertently perhaps, she broadens her range of address and speaks indirectly to all of the court. To Leontes, this pointed statement was also ineffective. In the minds of the sympathetic court, however, Hermione's statement would have been considered a brave act: to accuse the king of unjust actions piqued by jealousy would have been a fatal move for any member of the court to make. The queen ends her oration by addressing the court and by referring her judgement to the wisdom of the oracle.

Hermione's establishment of ethical proof is in harmony with Aristotle's conception of its use within a speech. Her address is convincing. She has ren-

dered an impeccable impression of herself: her character, her virtue and her integrity shine through or are reflected by the majority of her utterances. She has shown good will toward her husband up to the point of forgiving him for publically disgracing her. She had, up to a point, persisted to put Leontes into the "right frame of mind." When she knew she had failed in this, she spoke to augment the favorable attitudes of her other auditors.

When considering the place or use of ethical proof in the overall effectiveness of the speech, it appears to be the predominant element. Although Hermione's arguments (enthymemes) are logically-sound, they contain the ethical elements which have just been treated. Hermione's main theme is honor: ". . . only that I stand for;" and arguments have been invented to demonstrate, mainly, this theme. A minor theme in the oration in injustice, but this theme is conveyed to her hearers by the use of enthymemes and arguments which again reflect or establish her ethos. Her proof, then, has been predominantly established through an ethical appeal which has inherent within it elements of "logos" and "pathos." The latter element will be demonstrated in the following portion of the analysis.

Pathetic Proof

Upon a cursory examination of the oration, it

appears that Hermione's use of pathetic proof is restrained--restrained in the sense of comparison with what it might have been. Reasons for this restraint are evident, however. It will be recalled that that Hermione already has the sympathy of her hearers, with the exception of her judge-husband; that her lack of emotional presentation adds to and is in harmony with her personal dignity and ethos. The dramatic circumstances leading up to her trial; the birth and disposal of her child and Hermione's concomitant grief; and the queen's weakened physical condition--all these have made her auditors, previous to the time of her speech, deeply sympathetic to her plight. With such an aura of emotion surrounding the dramatic situation of which the trial scene is the climax, it can be stated that Hermione's pathetic proof was largely established before her oration was ever delivered.

Considering the foregoing, it could be generally stated that almost every utterance made by Hermione is colored with emotion. Therefore, for the purposes of this analysis, only those utterances which contain a more obvious attempt to establish pathetic proof are treated.

It has been set forth in the previous statement of the criteria that the examination of a speaker's use of pathetic proof would be concerned with the

following: 1) an identification of the specific emotional reaction evoked by the speech; 2) an identification and analysis of the means by which the speaker has produced this emotional reaction, and 3) an evaluative effort to determine to what extent the established pathetic proof augments the overall effectiveness of the speech.

The predominant emotion Hermione evokes from her hearers is that of pity. Other emotions or states of feeling contributing to this emotion of pity are: fear for Hermione's life; the futility and hopelessness of her situation; the disgrace surrounding her accusation, and injustices which have been thrust upon her person and her child.

Hermione's first "more direct" attempt to establish pathetic proof is made when she says:

> My past life
> Hath been as continent, as chaste, as true,
> As I am now unhappy.

She, again, intensifies her pitiable state, when she states that she prizes life as she weighs grief. Arguing her theme of honorable actions during Polixenes' stay, she adds further weight to her argument by the following:

> . . . if one jot beyond
> The bound of honour, or in act or will
> That way inclining, harden'd be the hearts
> Of all that hear me, and my near'st kin
> Cry fie upon my grave!

Perhaps this last technique could be termed a negative or reverse use of pathetic proof. In other words, Hermione knows that what she is proposing to her hearers and relatives is diametrically-opposed to their sympathetic states of mind. Because of their ardent concern for the queen's welfare perhaps they would react more strongly and more spontaneously to this indirect mode of pathetic appeal than they would to a more direct one.

At the termination of the first refutative dialogue, Hermione suggests the injustice which is being done to her:

> More than mistress of
> Which comes to me in the name of fault, I must not
> At all acknowledge . . .

In the answer to Leontes' death sentence is to be found Hermione's most potent and most pretentious use of pathetic proof. And yet, in a sense, it cannot be considered pretentious because it is obviously a straight-forward enumeration of the events which have led up to the trial and which have caused the queen to no longer hold any regard for life. It has been mentioned that Hermione's use of the metaphorical expression, "The crown and comfort of my life"; "My second joy," and "My third comfort," has added to her ethical appeal. The queen's source of evoking an emotion of pity within her hearers partially arises

from the use of these same expressions. They represent the meaning of her life; their absence erases that meaning. Hermione's enumeration of the six reasons for rejecting life, adding the opening and concluding statement of the argument, constitutes the emotional climax of her oration:

> The crown and comfort of my life, your favor,
> I do give lost; for I do feel it gone,
> But know not how it sent. My second joy
> And first-fruits of my body, from his presence
> I am barr'd like one infectious. My third comfort,
> Starr'd most unluckily, is from my breast,
> The innocent milk in its most innocent mouth,
> Haled out to murder; myself on every post
> Proclaim'd a strumpet; with immodest hatred
> The child-bed privilege denied, which 'longs
> To women of all fashion; lastly, hurried
> Here to this place, i' the open air, before
> I have got strength of limit.

One of the most potent pity-evoking statements in the above concerning Hermione's loss of her husband's love is:

> Your favor,
> I do give lost; for I do feel it gone,
> But know not how it went.

It is a frank and open confession of an utterly-confounded, helplessly-bewildered women. The above six reasons, in addition to their pity-evoking power, state six injustices which have been committed against the queen. At this point, then, the sources of pity and the claims of injustice are identical. The style employed in this passage adds much to the emotional appeal of Hermione's utterances: "I am barr'd like

one infectious;" " . . . starr'd most unluckily"; ". . . the innocent milk in its most innocent mouth"; ". . . hailed out to murder"; ". . . with immodest hatred," etc.

In the closing part of her oration, Hermione, by mentioning the injustice which would be committed if she is to "be condemn'd upon surmises" and not proof, suggests the probability of her death and thereby produces within her auditors, an emotion of fear. By placing her life in the hands of the presumably just wisdom of the oracle, Hermione concludes her speech with another utterance colored with emotion.

When considering the evaluation of Hermione's use of pathetic proof as it augments the overall effectiveness of the oration, the dramatic circumstances and characterization must be included. It has been mentioned that the circumstances surrounding Hermione's speech have established her pathetic proof before the oration was delivered. The characterization of Hermione produces, in the mind of one who reads the play, a picture of a dignified, intelligent, and virtuous woman, who has nothing with which to refute her accusations except her own attributes. It seems significant that no one example of a purely pathetic appeal can be found in the speech. All the emotion arises either directly or indirectly from the statements which

Hermione uses to reveal the helplessness of her situation; which narrate her past life with her husband; which acknowledge her belief in the gods and reveal the high value that she places on her personal honor; which enumerate the injustices which have been committed against her reputation, her person, and her child, etc. When one considers the character and the dramatic circumstances, however, the absence of a direct and planned use of pathetic proof is explainable. It is also judicious. An ostentatious and purely pathetic appeal would have been out of place and ineffective--ineffective to the degree of damaging the speaker's ethos. The restrained use of pathetic proof, then, has made Hermione's speech decidedly more effective, and hence, more persuasive.

Conclusion

This chapter demonstrates that Hermione's oration contains many evidences of Shakespeare's conscious or unconscious use of Aristotle's persuasive precepts. It shows that the speaker's use of artistic proof has included all three Aristotelian modes --the logical, the ethical, and the pathetic. One instance of inartistic proof is also cited. It demonstrates that two of the nine precepts which Aristotle formulated in regard to "lines of argument" to be

applied in the forensic speaking in particular are found to be an important part of the method by which Hermione attempted to establish her innocense. It also shows that Hermione's oration contains all the parts that Aristotle considers, and further, that the use of these parts are also in accordance with his precepts. It can therefore be affirmed that Hermione's oration does contain rhetorical speaking in the Aristotelian sense, as Kennedy has stated; and that the structure of the oration is likewise in harmony with Aristotelian precepts. Since its Aristotelian attributes are established, Hermione's oration can serve as an adequate criterion to which the remaining eleven orations can be compared and by which they can be evaluated.

CHAPTER IV

THE ANALYSES OF THE REMAINING ELEVEN ORATIONS

The Format

The purpose of this chapter is to demonstrate that the Aristotelian rhetorical criteria which are applied to Hermione's oration from The Winter's Tale, are also applicable to the remaining eleven orations with which this study is concerned. These analyses are reported in annotated manuscript form using the following legend.

Enthymemes (logos) _____
Ethical (ethos) . . . . . .
Pathetic (pathos) _ _ _ _ _ _ _ _ _
Both ethical and pathetic _._._._._._._._._._._.

Passages or utterances which are underlined with the solid line contain elements of logical proof; underlining with spaced periods indicates the presence of ethos-producing elements, and underlining with a spaced dash designates portions of the speech which contain pathos-producing elements. Since the sources of ethical and pathetic proof are often identical, the combination of a period and a dash is used to indicate a passage wherein both ethical and pathetic proof elements are found. The passages or utterances under-

lined are explained by marginal annotations. For example, an enthymeme (underlined with a solid line) is designated as such in the margin, and it is followed by an explanation of the premises from which the enthymeme is drawn. Similarly, ethical and pathetic proof elements are designated as ethos and pathos, respectively, as well as by the underlining technique which is illustrated in the above legend. The annotations concerning ethos are made in terms of good will, character, and competency. Sometimes interpretative remarks are included in these annotations. The annotations concerning pathos treat the emotion which is evoked by the speaker and also include some interpretative remarks. The orations are centered on the width of the page. The left margin is used to indicate the structure of the oration; the speaker's use of logical proof (the enthymemes and their respective premises); the speaker's use of Aristotelian "lines of argument" (means of dealing with prejudice); the forensic issue with which the oration is concerned; and the speaker's use of the forensic subjects of honor, justice, expediency, and their opposites. The right hand margin is devoted exclusively to annotations dealing with ethical and pathetic proofs. The utterance of the main speaker are double-spaced; those of the minor speakers, which are not

analyzed, are single-spaced. The slash (/) will be used to indicate the end of a section of a passage which is under discussion. The slash will be placed in the next space following the end of the section and two blank spaces will be used to set off both the section and the slash from the passage that follows it. For example: "Now, by my mother's love, I make a vow,/ it etc."

Aegeon's Oration from The Comedy of Errors

Setting: Aegeon, an old merchant from the city of Syracuse, has been searching for his family, two members of which had been separated from him by a shipwreck some eighteen years before. His search brings him to the city of Ephesus. In that city he is seized by the authorities and is brought before a court of law where he learns that there is a state of enmity existing between his home city of Syracuse and Ephesus. Because of this enmity a law had recently been passed forbidding traffic between the two cities. The uninformed Aegeon finds himself a captive under the new law. Being unable to pay the required ransom to free himself, Aegeon is sentenced to death. Solinus, the Duke of Ephesus, before pronouncing a final judgment requests that Aegeon relate the reasons for his sojourn to Ephesus. The proem of the oration is assumed by

the Duke as he states this request and Aegeon's statement follows:

Summary of Analysis: The analysis of the structure of this oration reveals that the parts of a speech present are the proem, which is shifted to a source other than the speaker, the statement, and the epilogue. The narration is used to establish pathetic proof. The forensic issue treated in the speech is "that the act did less harm than is alleged." One means of dealing with prejudice (lines of argument) is used by Aegeon: to clear himself of suspicion. There is no use of non-artistic proof in the oration. The speaker's use of ethical proof is indirect--it arises mainly from the narrative part of the oration. The speaker's use of pathetic proof is predominant. No use of logical proof is to be found in the oration.

Annotated script:

DUKE

Proem

Well, Syracusian, say, in brief, the cause
Why thou departedst from thy native home,
And for what cause thou camest to Ephesus.

AEGEON

Statement

A heavier task could not have been imposed
Than I to speak my griefs unspeakable:

Pathos: emotion of pity.

Line of argument: to clear himself of suspicion.
Forensic issue: "the act did less harm than is alleged."
Narration.

Yet, that the world may witness that my end
Was wrought by nature, not by vile offence,
I'll utter what my sorrow gives me leave.
In Syracuse was I born; and wed
Unto a woman, happy but for me,
And by me, had not our hap been bad.

Ethos: good will; he desires the world to know he meant no wrong.

Ethos: reflects his character in that he places much value on his marriage and his love for his wife.

Use of narration to establish pathetic proof.

With her I lived in joy; our wealth increased
By prosperous voyages I often made
To Epidamnum; till by factor's death,
And the great care of goods at random left,
Drew me from kind embracements of my spouse.

Ethos: suggests that he was a competent, conscientious businessman.

Ethos: again an expression of his love for his wife.

Statement-Narration continued.

From whom my absence was not six months old,
Before herself, almost at fainting under
The pleasing punishment that women bear,
Had made provision for her following me,
And soon and safe arrived where I was.
There had she not been long but she became
A joyful mother of two goodly sons;
And, which was strange, the one so like the other
As could not be distinguish'd but by names.
That very hour, and in the self-same inn,
A meaner women was delivered
O such a burden, male twins, both alike:
Those, for their parents were exceeding poor,
I bought, and brought up to attend my sons.
My wife, not meanly proud of two such boys,
Made daily motions for our home return:
Unwilling I agreed; alas! too soon

Ethos: an indication of his joy at becoming a father. One gets a picture of an old man who cherishes the memory of the brief happiness he once enjoyed with his wife and his family.

Ethos: reflects a humble aspect of his nature.

Statement-Narration continued.

We came aboard.
A league from Epidamnum had we sail'd
Before the always-wind-obeying deep
Gave any tragic instance of our harm:
But longer did we not retain much hope;
For what obscured light the heavens did grant
Did but convey unto our fearful minds
A doubtful warrant of immediate death;
Which though myself would gladly have embraced,
Yet the incessant weepings of my wife,
Weeping before for what she saw must come,
And piteous plainings of the pretty babes,
That mourn'd for fashion, ignorant what to fear,
Forced me to seek delays for them and me.
And this it was, for other means was none:
The sailors sought for safety by our boat,

Pathos: emotion of pity.

Statement-Narration continued

But ere they came,--O, let me say no more!
Gather the sequel by that went before.

Pathos: emotion of pity.

DUKE

Nay, forward, old man; do not break off so;
For we may pity, though not pardon thee.

AEGEON

O, had the gods done so, I had not now
Worthily term'd them merciless to us!
For, ere the ships could meet by twice five leagues,
We were encountered by a mighty rock;
Which being violently borne upon,
Our helpful ship was splitted in the midst;
So that, in this unjust divorce of us,
Fortune had left to both of us alike
What to delight in, what to sorrow for.
Her part, poor soul! seeming as burdened
With lesser weight, but not with lesser woe,
Was carried with more speed before the wind;

Statement-Narrative continued.

And in our sight they three were taken up
By fishermen of Corinth, as we thought.
At length, another ship had seized on us;
And, knowing whom it was their hap to save,
Gave healthful welcome to their shipwrecked guests;
And would have reft the fishers of their prey,
Had not their bark been very slow of sail;
And therefore homeward did they bend their course.
Thus have you heard me severed from my bliss;
That by misfortunes was my life prolong'd,
To tell sad stories of my own mishaps.

Pathos: emotion of Pity.

DUKE

And, for the sake of them thou sorrowest for,
Do me the favour to dilate at full
What hath befall'n of them and thee till now.

AEGEON

My youngest boy, and yet my eldest care,
At eighteen years became inquisitive
After his brother: and importuned me

Statement-Narration continued.	That his attendant--so his case was like, Reft of his brother, but retain'd his name-- Might bear him company in quest of him: Whom whilst I labour'd of a love to see, I hazarded the loss of whom I loved. Five summers have I spent in farthest Greece, Roaming clean through the bounds of Asia, And, coasting homeward, came to Ephesus; Hopeless to find, yet loath to leave unsought Or that, or any place that harbours men.	Pathos: emotion of pity.
Epilogue	But here must end the story of my life; And happy were I in my timely death, Could all my travels warrant me they live.	

Antipholus of Ephesus' Oration from The Comedy of Errors

Setting: The setting of this oration is intricately involved with a series of mistaken identities. The Syracuse merchant, Aegeon, father of identical twins whose names are both Antipholus, is in Ephesus looking for his sons: for the identical twins whom he had bought to be companion-servants to his boys, whose names are also identical; and for his wife. The family had been separated eighteen years before as the result of a shipwreck. Although none of the characters of the play are aware of it, both sets of identical twins with identical names, and the mother and father are all in Ephesus. Naturally complications arise. The first of these complications occurs when Adriana, wife of Antipholus of Ephesus, sends their servant--the identical twin, Dromio of Ephesus--to summon the master of the house to dinner. Dromio, instead of meeting his own master, chances upon the unmarried Antipholus of Syracuse, and insists that he respond to his "wife's" call. Meanwhile, Antipholus' servant, Dromio of Syracuse, has been sent on an errand. Antipholus of Ephasis, thinking this Dromio to be his own servant, severely beats him for his impudence. Adriana, impatient for her husband's arrival, also chances upon Antipholus of Syracuse and asks him for the gold chain

that her real husband had promised her as a gift. She persuades the bewildered man and his servant, Dromio of Syracuse who has just returned from his errand to come home for dinner. While they are dining the real Antipholus of Ephesus with two guests, Angelo, the goldsmith, and Balthazar, arrives at his home. He is ordered away from his own house by the servants who are behind a locked door. Furiously bewildered, he dines with his friends and a courtezan. He instructs Angelo to bring him the gold chain, which he now plans to give to the courtezan instead of to Adriana. Utterly confused by the strange circumstances, the strangest being called by name by people he has never seen before, Antipholus of Syracuse sends his servant, Dromio to arrange for passage out of the city. Dromio, while en route, is confronted by Angelo, who gives him the golden chain and instructs that he take it to his master. When later in the day, Angelo asks the real Antipholus of Ephesus for the price of the gold chain, Antipholus rightly denies having received it. He is arrested by an officer of the law. Dromio of Syracuse, his errand accomplished, comes upon the scene and is sent by Antipholus of Ephesus to Adriana for money to bail him out of jail. When Dromio returns, he meets his real master, Antipholus of Syracuse. He is surprised to see him free, but he, nevertheless,

gives him the money. The courtezan appears, demanding that Antipholus of Syracuse give her the gold chain which he is wearing around his neck in payment for the diamond ring that she had given to Antipholus of Ephesus at dinner that day. Naturally, he refuses to do so, and the courtezan goes to Adriana informing her that her husband is insane. Adriana and Luciana, her sister, take Dr. Pinch, a quack doctor, and his associates to Antipholus of Ephesus. The unjustly-treated husband beats the doctor, but he is finally overpowered by Adriana's cohort and locked in his own house. On their way to obtaining passage out of the city, Antipholus of Syracuse and his servant run into Angelo, who notices the golden chain around Antipholus' neck. A quarrel follows. Adriana and Luciana enter and join in the confusion. Antipholus of Syracuse and Dromio flee to a near-by priory, finding refuge under the protection of a Lady Abbess. During this fray, Antipholus of Ephesus and his servant have escaped from their prison. As the Duke of the city is talking to the discouraged Aegeon in the street, Antipholus of Ephesus enters and interrupts the Duke with a plea for justice. The following speech is his plea:

Annotated script:

ANTIPHOLUS OF EPHESUS

Proem — Justice, most gracious Duke; O, grant me justice!

Forensic subject: justice.

Even for the service that long since I did thee,
When I bestrid thee in the wars, and took
Deep scars to save thy life; even for the blood
That then I lost for thee, now grant me justice.

Ethos: suggests that he was a brave, competent soldier.

AEGEON

Unless the fear of death doth make me dote,
I see my son Antipholus, and Dromio.

ANTIPHOLUS OF EPHESUS

Statement — Justice, sweet prince, against that woman there!
She whom thou gav'st to me to be my wife,
That hath abused and dishonour'd me

Forensic subject: dishonor.

Even in the strength and height of injury:
Beyond imagination is the wrong
That she this day hath shameless thrown on me.

DUKE

Discover how, and thou shalt find me just.

Narration

ANTIPHOLUS OF EPHESUS

This day, great Duke, she shut the doors upon me,

While she with harlots feasted in my house.

DUKE

A grievous fault! Say, woman, didst thou so?

Refutation

ADRIANA

No, my good lord: myself, he and my sister
To-day did dine together. So befal my soul
As this is false he burdens me withal!

LUCIANA

Ne'er may I look on day, nor sleep on night,
But she tells to your Highness simple truth!

ANGELO

O perjured woman! They are both forsworn:
In this the madman justly chargeth them.

ANTIPHOLUS OF EPHESUS

Enthymeme based on probability.

My liege, I am advised what I say;

Neither disturbed with the effect of wine,

Line of Argument: Attempting to clear himself of suspicion.

Nor heady-rash, provoked with raging ire,

Albeit my wrongs might make one wiser mad.

This woman lock'd me out this day from dinner:

Narration

Narration continued.

That goldsmith there, were he not pack'd with her,
Could witness it, for he was with me then;
Who parted with me to go fetch a chain,
Promising to bring it to the Porpentine,
Where Balthazar and I did dine together.
Our dinner done, and he not coming thither,
I went to seek him: in the street I met him,
And in his company that gentleman.
There did this perjured goldsmith swear me down
That I this day of him received the chain,
Which, God he knows, I saw not: for the which
He did arrest me with an officer.
I did obey; and sent my peasant home
For certain ducats: he with none return'd.

Use of the narration to produce ethos.

Then fairly I bespoke the officer
To go in person with me to my house.
By the way we met my wife, her sister, and a rabble more

Ethos: these utterances seem to indicate a goodness of character and a sense of good will or politeness.

Narration continued.

Of vile confederates. Along with them
They brought one Pinch, a hungry lean-faced villain,
A mere anatomy, a mountebank,
A threadbare juggler, and a fortune-teller,
A needy, hollow-eyed, sharp-looking wretch,
A living dead man: this pernicious slave,
Forsooth, took on him as a conjurer;
And, gazing in mine eyes, feeling my pulse,
And with no face, as 'twere, outfacing me,
Cries out, I was possess'd. Then all together
They fell upon me, bound me, bore me thence,
And in a dark and dankish vault at home
There left me and my man, both bound together;
Till, gnawing with my teeth my bonds in sunder,
I gain'd my freedom, and immediately
Ran hither to your Grace; whom I beseech
To give me ample satisfaction

Pathos: a sense of pity.

Forensic subject: dishonor.

For these deep shames, and great indignities.

ANGELO

My lord, in truth, thus far I witness with him
That he dined not at home, but was lock'd out.

DUKE

But had he such a chain of thee, or no?

Refutation

ANGELO

He had, my lord: and when he ran in here,
These people saw the chain about his neck.

SECOND MERCHANT

Besides, I will be sworn, these ears of mine
Heard you confess you had the chain of him,
After you first forswore it on the mart:
And thereupon, I drew my sword on you;
And then you fled into this abbey here,
From whence, I think, you're come by miracle.

Line of argument: open counter of issues with which the accusation is involved.

ANTIPHOLUS OF EPHESUS

I never came within these abbey-walls;

Pathos: pity; a sense of utter bewilderment.

Nor ever didst thou draw thy sword on me:

I never saw the chain, so help me Heaven!

Forensic Issue: "the act was not committed."

And this is false you burthen me withal.

DUKE

Why, what an intricate impeach is this!

I think, you all have drunk of Circe's cup.
If here you housed him, here he would have been;
If he were mad, he would not plead so coldly:
You say he dined at home; the goldsmith here
Denies that saying. Sirrah, what say you?

DROMIO OF EPHESUS
Sir, he dined with her there, at the Porpentine.

COURTEZAN
He did; and from my finger snatch'd that ring.

ANTIPHOLUS OF EPHESUS
'Tis true, my liege; this ring I had of her.

DUKE
Saw'st thou him enter at the abbey here?

COURTEZAN
As sure, my liege, as I do see your Grace.

DUKE
Why, this is strange. Go call the abbess hither.
I think you are all mated, or stark mad.

Summary of Analysis: The structure of this oration is incomplete because of the dramatic circumstances and the purposes of the playwright. The parts present are the proem, the statement, the narration which is used to establish ethical proof, and an argument in the form of refutation. The forensic issue of the speech is "that the act was not committed." The forensic subjects present are justice and dishonor. The speaker uses two means of dealing with prejudice (lines of argument): 1) he attempts to clear himself of suspicion, and 2) he openly attacks the charges made against him. There is no use of non-artistic proof in this oration. The uses of the artistic modes of proof are scant; the ethical mode of proof is slightly predominant. There is but one enthymeme drawn from the realm of probability.

Tamora's Oration from Titus Andronicus

Setting: Titus Andronicus has returned to Rome after a successful war against the Goths. With him he brings as captives Tamora, the Queen of the Goths, and her three sons. Even in his great hour of triumph as he is being cheered by the Roman populace in the streets, he is mourning the deaths of his sons. In retribution, he demands the life of Tamora's eldest son. The following is Tamora's address to the vengeful conqueror, pleading for her son's life.

Annotated script:

	TAMORA	
Proem	Stay, Roman brethren! Gracious conqueror,	Ethos: good will extended by a captive queen.
	Victorious Titus, rue the tears I shed,	Pathos: emotion of pity.
Statement-argument.	A mother's tears in passion for her son:/	
Enthymeme based on parallel example (analogical reasoning).	And if thy sons were ever dear to thee,	Ethos: mother's love revealed. Empathic feeling for Titus' grief. Pathos: emotion of pity.
	O, think my son to be as dear to me!/	
Narration	Sufficeth not, that we are brought to Rome,	Ethos: the candor of her narration reveals an open and valorous spirit.
Forensic subject: injustice.	To beautify thy triumphs and return,	
	Captive to thee and to thy Roman yoke;/	
Argument	But must my sons be slaughter'd in the streets,	Pathos: emotions of pity and fear.
	For valiant doings in their country's cause?	
Enthymeme based on parallel ex-	O, if to fight for king and commonweal	Ethos: Tamora's competancy of intellect

ample (analogical reasoning).	Were piety in thine, it is in these./ _· ·_·_·_·_·_·_·_·_·_·_·_·_·_·_·_·_·_·	is demonstrated by her ability to invent arguments such as this.
Forensic issue: "the act was justified." Enthymeme based on probability & analogical reasoning.	Andronicus, stain not thy tomb with blood. Wilt thou draw near the nature of the gods? . . . . . . Draw near them then in being merciful:/	Ethos: reflects her belief in the gods and in the attribute of mercy.
Enthymeme based on maxim.	Sweet mercy is nobility's true badge:/	
Epilogue.	Thrice-noble Titus, spare my first-born son. . . . . . _·_·_·_·_·_·_·_·_·_·_·_·_·	Ethos: good will Pathos: emotion of pity and fear.

Summary of Analysis: The analysis of the structure of this oration shows that the parts present are the proem; the statement which is followed by a brief narration; the argument, and the epilogue. The forensic issue with which the speech is concerned is "that the act (action) was justified." The forensic subject of justice or injustice is also present in the oration. There is no use of non-artistic proof. The pathetic mode of proof predominates. The use of the logical and the ethical modes of proof are fairly equal in their intensity. All, however, are interdependent upon one another. The premises from which the enthymeme are drawn are invented examples, probabilities, and one maxim.

Friar Lawrence's Oration from The Tragedy of Romeo and Juliet

Setting: Romeo, Juliet, and Paris, a kinsman to the prince of Verona who was once betrothed to Juliet, all lie dead near the Capulet family tomb. Romeo was of the house of Montague; Juliet was of the house of Capulet. These two families of Verona had long been enemies. When the news of the three deaths spread, the members of the two warring houses gather at the scene of the tragedy. The reasons for the young peoples' deaths are unknown. Chaos reigns until the Prince of Verona announces that nothing will be done until the true causes of their deaths are known. At

this point Friar Lawrence, who had discovered the bodies, offers his exposition of the situation. His oration which follows answers the unanswered questions and simultaneously clears his own name of suspicion.

Annotated script:

FRIAR LAURENCE

I am the greatest, able to do least,

Yet most suspected, as the time and place

Doth make against me, of this direful murder;

And here I stand, both to impeach and purge

Myself condemned and myself excused.

Proem

Forensic issue: "the act was not committed" (by me).

Ethos: his honesty & integrity of character are revealed by his frank recognition of the dilemma in which he finds himself, and in his readiness to relate to the Prince all that he knows.

PRINCE

Then say at once what thou dost know in this.

FRIAR LAURENCE

I will be brief, for my short date of breath

Is not so long as is a tedious tale.

Romeo, there dead, was husband to that Juliet;

And she, there dead, that Romeo's faithful wife:

I married them; and their stol'n marriage-day

Was Tybalt's dooms-day, whose untimely death

Banish'd the new-made bridegroom from this city;

For whom, and not for Tybalt, Juliet pined.

Statement-Narration.

Use of narration to establish ethos.

Ethos: reflects his old age and perhaps his competency as a speaker.

Ethos: Juliet's and Romeo's families have been feuding rivals for many years. The Friar married the two young people because they were very much

Statement-Narration.

You, to remove the siege of grief from her,
Betroth'd and would have married her perforce
To County Paris: then comes she to me,
And with wild looks bid me devise some mean
To rid her from this second marriage,
Or in my cell there would she kill herself.
Then gave I her, so tutor'd by my art,
A sleeping potion; which so took effect
As I intended, for it wrought on her
The form of death: meantime I writ to Romeo,
That he should hither come as this dire night,
To help to take her from her borrow'd grave,
Being the time the potion's force should cease.
But he which bore my letter, Friar John,
Was stay'd by accident, and yesternight
Return'd my letter back. Then all alone

in love and because through such a union he saw the possibility of peace between their families. The absence of his reasons for marrying them seems to add to his ethical appeal in that he assumes his actions are above question and that he is not fearful of the consequences of the clandestine marriage.

Ethos: reveals a responsible, sympathetic aspect of his character. He could have refused her aid, assuming that she was merely threatening him.

Use of narration to establish ethos.

Ethos: the style is direct, plain and to the point; a simple narration of a well-meaning old man.

Statement-Narration.

At the prefixed hour of her waking
Came I to take her from her kindred's vault,
Meaning to keep her closely at my cell
Till I conveniently could send to Romeo:
But when I came, some minute ere the time
Of her awaking, here untimely lay
The noble Paris and true Romeo dead.
She wakes, and I entreated her come forth,
And bear this work of heaven with patience:
But then a noise did scare me from the tomb,
And she too desperate would not go with me,
But, as it seems, did violence on herself.
All this I know; and to the marriage
Her nurse is privy:/ and, if aught in this
Miscarried by my fault, let my old life
Be sacrificed some hour before his time

Ethos: Christian beliefs reflected.

Ethos: reflects honesty; he could have invented a more logical reason for leaving the tomb. Being scared by a noise in a graveyard isn't a very complementary or sound piece of evidence to include in a testimony wherein one is attempting to clear oneself of suspicion.

Preparation for the use of non-artistic proof: witness.
Epilogue.

Line of argument: to clear

himself of suspicion.

Unto the rigour of severest law.

Ethos: he offers his life as a witness to the validity of his testimony.

Summary of Analysis: The structure of this oration is composed of a proem, a statement which is followed by a lengthy narration, and an epilogue. The narration is used to establish ethical proof. The forensic issue of the oration is "that the act was not committed" (by me). The Friar uses one means of dealing with prejudice (line of argument): to clear himself of suspicion. There is a preparation for the use of non-artistic proof. The speaker's use of ethical proof is predominant. There seems to be little or no evidences of the use of the other two modes of artistic proofs.

Mowbray's Oration from The Tragedy of Richard II

Setting: Bolingbroke, a relative of the King and son of the venerable Gaunt, Duke of Lancaster, has accused Thomas Mowbray, Duke of Norfolk, of treason on two points: 1) that he illegally used the king's funds--money which should have been paid to the king's soldiers, and 2) that he was responsible for the death of the Duke of Gloucester, uncle to Richard. The following speech is Mowbray's oration of defense delivered to King Richard and other attending lords.

Annotated script:

Proem

Line of argument: "Meet calumny with calumny."

MOWBRAY

O, let my sovereign turn away his face,
And bid his ears a little while be deaf,
Till I have told this slander of his blood,
How God and good men hate so foul a liar.

Ethos: reflects character--he doesn't wish the king to hear him refute his royal-blood relation. Also, his alluding to God reveals some Christian attributes.

RICHARD

Mowbray, impartial are our eyes and ears:
Were he my brother, nay my kingdom's heir,
As he is my father's brother's son,
Now, by my sceptre's awe, I make a vow,
Such neighbour-nearness to our sacred blood
Should nothing privilege him, nor partialize
The unstooping firmness of my upright soul:
He is our subject Mowbray; so art thou:
Free speech and fearless I to thee allow.

Statement

Line of argument: "Meet calumny with calumny."

Forensic issue: "the act was not committed."

MOWBRAY

Then, Bolingbroke as low as to thy heart,
Through the false passage of thy throat, thou liest.
Three parts of that receipt I had for Calais
Disbursed I duly to his Highness' soldiers;
The other part reserved I by consent,

Ethos: such a sharp, frank rebuke gives an indication of the man's valor. The strength of the rebuke suggests his innocence.

Line of argument: open refutation of the issues brought against him: 1) the use of "receipts" and 2) Gloucester's death.

Narration

For that my sovereign liege was in my debt
Upon remainder of a dear account,
Since last I went to France to fetch his Queen:
Now swallow down that lie. For Gloucester's death,
I slew him not; but to my own disgrace
Neglected my sworn duty in that case.
For you, my noble Lord of Lancaster,
The honourable father to my foe,
Once did I lay an ambush for your life,
A trespass that doth vex my grieved soul;
But ere I last received the sacrament
I did confess it, and exactly begged
Your Grace's pardon, and I hope I had it.
This is my fault: as for the rest appealed,
It issues from the rancour of a villain,
A recreant and most degenerate traitor:

Ethos: his honesty of character is established by his willingness to confess a crime for which he is not being tried.

Ethos: magnanimity of character--he is able to hold in respect the father of the man that is accusing him of treason, and the man whom he once planned to murder.

Ethos: a confession which reveals his Christian beliefs.

Argument
Line of argument: "Meet calumny with calumny."

Which in myself I boldly will defend;
And interchangeably hurl down my gage
Upon this overweening traitor's foot,
To prove myself a loyal gentleman.
Even in the best blood chamber'd in his bosom.
In haste whereof, most heartily I pray
Your highness to assign our trial day.

Ethos: the fact that he is eager to defend his innocence adds weight to his refutation and simultaneously reveals a valorous aspect of his character.

RICHARD

Wrath-kindled gentlemen, be ruled by me;
Let's purge this choler without letting blood:
This we prescribe, though no physician;
Deep malice makes too deep incision:
Forget, forgive; conclude, and be agreed;
Our doctors say this is no month to bleed.
Good uncle, let this end where it begun;
We'll calm the Duke of Norfolk, you your son.

GAUNT

To be a make-peace shall become by age:
Throw down, my son, the Duke of Norfolk's gage.

RICHARD

And, Norfolk, throw down his.

GAUNT
When, Harry, when?
Obedience bids I should not bid again.

RICHARD
Norfolk, throw down we bid, there is no boot.

Refutation

MOWBRAY
Myself I throw, dread sovereign, at thy foot.
My life thou shalt command, but not my shame:
The one my duty owes; but my fair name,
Despite of death that lives upon my grave,
To dark dishonour's use thou shalt not have.
I am disgraced, impeach'd, and baffled here;
Pierced to the soul with slander's venom'd spear,
The which no balm can cure, but his heart-blood
Which breathed this poison.

Refutative enthymeme based on objection and counter argument (based on the Elizabethan concept of honor).

Forensic subject: honor and dishonor.

Ethos: his impeccable integrity is established here by his insistence upon putting honor before his life and his allegiance to his king.

Pathos: emotion of pity.

RICHARD
Rage must be withstood:
Give me his gage: lions make leopards tame.

MOWBRAY
Yea, but not change his spots: take but my shame,

Refutative enthy-

Ethos: a repetition of the

meme based on counter argument.	And I resign my gage./ My dear dear lord,	honor theme.
Enthymeme based on maxim.	The purest treasure mortal times afford	
	Is spotless reputation: that away,	
	Men are but gilded loam or painted clay./	Ethos: a continuation and elaboration of the honor theme.
Enthymeme based on maxim.	A jewel in a ten-times-barr'd-up chest	
	Is a bold spirit in a loyal breast./	
Enthymeme based on the Elizabethan concept of honor.	Mine honour is my life; both grow in one:	
	Take honour from me, and my life is done:/	
Epilogue	Then, dear my liege, mine honour let me try;	Ethos: honor theme. Pathos: emotions of pity and fear.
	In that I live and for that will I die.	

Summary of Analysis: The structure of this oration is composed of a proem, a statement, a narration which is used to establish ethical proof, an argument in the form of refutation, and an epilogue. The forensic issue treated is "that the act was not committed." The forensic subject is honor. Two means of dealing with prejudice (lines of argument) are used by Mowbray: 1) he "meets calumny with calumny," and 2) he openly refutes the two charges brought against him. No use of non-artistic proof is present in the oration. The speaker establishes his case predominantly through the use of the ethical mode of proof. Some pathetic proof elements are present, but they arise mainly from the use of the other two modes of proof. The premises from which the enthymemes are drawn are maxims, with the refutative enthymemes based on objection and counter-argument.

The Earl of Worcester's (Thomas Percy) Oration from HENRY IV, Part I

Setting: In Richard II, Northumberland (Henry Percy, brother to Worcester) Worcester, and Hotspur (Northumberland's son) had aided Bolingbroke's usurpation of the throne. The throneless Richard had said of Northumberland:

> Northumberland, thou ladder wherewithal
> The mounting Bolingbroke ascends my throne,
> The time shall not be many hours of age

> More than it is, ere foul sin gathering head
> Shall break into corruption: thou shalt think
> Though he divide the realm, and give thee half,
> It is too little, helping him to all;
> And he shall think that thou, which know'st the way
> To plant unrightful kings, wilt know again,
> Being ne'er so little urged, another way
> To pluck him headlong from the usurped throne.
> The love of wicked men converts to fear;
> That fear to hate, and hate turns one or both
> To worthy danger and deserved death.

Richard had foreseen and foretold the division of loyalties which occurs at the time of Worcester's oration in Henry IV. Bolingbroke, now Henry IV, distrusts the houses of Worcester and Northumberland because of their treasonous actions toward Richard, even though they were the means by which he gained the throne. Worcester, Northumberland, and Hotspur feel that they have been neglected and misused because they have not received their expected rewards. They have raised an army against Henry IV and his two sons Prince Hal and John of Lancaster. The King, wishing to settle their differences peaceably arranges a parley with Worcester wherein he asks the reasons for the pending conflict. Worcester's oration of defense follows the King's question.

Annotated script:

Proem

KING HENRY

How now, my Lord of Worcester! 'tis not well
That you and I should meet upon such terms
As now we meet. You have deceived our trust,
And made us doff our easy robes of peace,
To crush our old limbs in ungentle steel:
That is not well, my lord, this is not well.
What say you to it? Will you again unknit
This churlish knot of all-abhorred war?
And move in that obedient orb again
Where you did give a fair and natural light,
And be no more an exhaled meteor,
A prodigy of fear, and a portent
Of broached mischief to the unborn times?

WORCESTER

Statement

Here me, my liege:

Line of argument: to clear himself of suspicion.

For mine own part, I could be well content

To entertain the lag-end of my life

With quiet hours; for, I do protest,

I have not sought the day of this dislike.

Ethos: reveals a seemingly unselfish aspect of his character.

KING HENRY

You have not sought it! How comes it, then?

FALSTAFF

Rebellion lay in his way, and he found it.

PRINCE HENRY

Peace, chewet, peace!

WORCESTER

It pleased your Majesty to turn your looks
Of favour from myself, and all our house;
And yet I must remember you, my lord,
We were the first and dearest of your friends.
For you my staff of office did I break
In Richard's time; and posted day and night
To meet you on the way, and kiss your hand,
When yet you were in place and in account
Nothing so strong and fortunate as I.
It was myself, my brother, and his son,
That brought you home, and boldly did outdare
The dangers of the time. You swore to us,
And you did swear that oath at Doncaster,
That you did nothing purpose 'gainst the state;

Narration

Forensic issue: "the act was justified." (The act being the raising of the army to oppose the King.)

Use of narration to establish ethos.

(In one sense this narration establishes the point that Henry IV, through his own actions, brought about the schism of loyalties. As logical proof the established chain of reasoning would be an enthymeme based

Ethos: through the narration Worcester recalls the aid (good will) which his royal house once extended to the then banished Bolingbroke (now King Henry IV). The incidents which have led to this schism of loyalties and the threatening conflict are related with good taste--the style is clear, direct, and fairly plain--a seemingly sincere attempt of a man trying to justify his disloyalties to his King.

upon his interpretation of past events. Aristotle points out, however, (3. 16, p. 230) that the purpose of narration is to "excite pity and indignation," or to reveal moral purpose. The latter is clearly done.)

Narration continued.

Nor claim no further than your new-fall'n right,
The seat of Gaunt, dukedom of Lancaster:
To this we swore our aid. But in short space
It rain'd down fortune showering on your head;
And such a flood of greatness fell on you,
What with our help, what with the absent King,
What with the injuries of a wanton time,
The seeming sufferances that you had born,
And the contrarious winds that held the king
So long in his unlucky Irish wars
That all in England did repute him dead:
And from this swarm of fair advantages
You took occasion to be quickly woo'd
To grip the general sway into your hand;
Forgot your oath to us at Doncaster;
And being fed by us you used us so

Statement-narration continued.

As that ungentle gull, the cuckoo's bird,
Useth the sparrow; did oppress our nest;
Grew by our feeding to so great a bulk
That even our love durst not come near your sight
For fear of swallowing; but with nimble wing
We were enforced, for safety sake, to fly
Out of your sight, and raise this present head;
Whereby we stand opposed by such means
As you yourself have forged against yourself
By unkind usage, dangerous countenance,
And violation of all faith and troth
Sworn to us in your younger enterprise.

Forensic subjects: expediency and honor.

Epilogue

Summary of Analysis: The proem of this oration is shifted to a source other than that of the speaker. The remaining parts of the oration are the statement, the narration which is used to establish ethical proof, and the epilogue. The forensic issue treated in the oration is "that the act was justified." The forensic subjects are expediency and honor. The speaker uses two means of dealing with prejudice (lines of argument): 1) he attempts to clear himself of suspicion, and 2) he treats openly the main issue of the conflict. No use of non-artistic proof is found in the oration. The speaker's use of ethical proof is decidedly predominant. The narration is in a sense used as an enthymeme to establish logical proof. There seems to be no use of the pathetic mode of proof.

The Lord Chief Justice's Oration from HENRY IV, Part II

Setting: The seemingly ne'er-do-well Prince Hal is now England's king. The death of Henry IV has just occurred. Prince Hal for the first time appears before his brothers, John and Clarence, and the Lord Chief Justice in his robes of sovereignty. The officer of the law is rather fearful of the new king because of an incident which occurred between him and the prince in the youth's frivolous past. During his associations with the patrons of Boar's-head Inn,

Falstaff, Bardolph, Poins, etc., the prince was brought before the Lord Chief Justice's court for a minor offense. He had struck the judge in the face and was put into prison for a short time. Because of this incident the Lord Chief Justice is rather tense when Henry V appears. The King observes his reaction and touches upon the "indignities" which the judge had once administered to him. The Lord Chief Justice responds with his oration of defense.

Annotated script:

Proem

KING HENRY V

You all look strangely on me! (to the Lord Chief Justice) and you most;
You are, I think, assured I love you not.

LORD CHIEF JUSTICE

Enthymeme based on probability. Forensic subject: justice.

I am assured, if I be measured rightly,
Your majesty hath no just cause to hate me.

KING

No!
How might a prince of my great hopes forget
So great indignities you laid upon me?
What! rate, rebuke, and roughly send to prison
The immediate heir of England! Was this easy?
May this be wash'd in Lethe, and forgotten?

LORD CHIEF JUSTICE

Statement-Narration

Line of argument: open refutation of the issue involved.

Use of narration to establish ethos.

I then did use the person of your father;
The image of his power lay then in me:
And, in the administration of his law,
Whiles I was busy for the commonwealth,
Your highness pleased to forget my place,
The majesty and power of law and justice,
The image of the king whom I presented,

Ethos: the statement of the incident is clearly, openly and politely executed. Through the narration he reveals that his

Forensic subject: expediency.

And struck me in my very seat of judgement;
Whereon, as an offender to your father,
I gave bold way to my authority,
And did committ you./ If the deed were ill,

interests were synonomous with the former king's: good will.

Argument

Enthymeme based on invented example.

Be you contented, wearing now the garland,
To have a son set your decrees at nought,
To pluck down justice from your awful bench,
To trip the course of law and blunt the sword
That guards the peace and safety of your person;
Nay, more, to spurn at your most royal image
And mock your workings in a second body./
Question your royal thoughts, make the case yours;

Ethos: through this argument he indirectly states that he holds the same concern for the enforcement of the new king's laws as he did for his former king's decrees: good will.

Ethos: an expression of good will--concern for the King's personal safety and a recognition of Prince Hal's newly-begotten authority as Henry V.

Enthymeme based on invented example.

Be now the father, and propose a son,
Hear your own dignity so much profaned,
See your most dreadful laws so loosely slighted,
Behold yourself so by a son disdained;

Ethos: competency--he has no concrete evidence with which he can defend himself, but he is capable of inventing parallel situations

Epilogue

Enthymeme based on probability.

Forensic issue: "the act was justified."

And then imagine me taking your part,
And in your power soft silencing your son:/
After this cold considerance, sentence me;
And, as you are a king, speak in your state
. . . . . .
What I have done that misbecame my place,
My person, or my liege's sovereignty.
. . . . . .

which serve as witnesses to justify his actions. Again, a recognition of the King's authority and an expressed concern for his person and enforcement of his laws.

Ethos: recognition of his kingship: good will.

Summary of Analysis: The proem of this oration is shifted to a source other than that of the speaker. The other parts of the speech are the statement, the narration which is used to establish ethical proof, the argument, and the epilogue. The forensic issue treated in the oration is "that the act was justified." The forensic subject is injustice. The Lord Chief Justice uses a means of dealing with prejudice (line of argument): he openly attacks the charges made against him. No non-artistic proof is used in this oration. The use of the ethical mode of proof is predominant. The logical mode of proof is used to some extent; there seems to be no evidences of a use of the pathetic proof. The premises from which the enthymemes are drawn are invented examples and probabilities.

Shylock's Oration from THE MERCHANT OF VENICE

Setting: Bassanio, a gentleman of Venice, needs funds to court the beautiful heiress, Portia of Belmont. He goes to his friend, Antonio, a wealthy merchant, to ask if he might borrow three thousand ducats from him. The generous Antonio, who at the moment has all of his assets tied up in merchandise and ships on the high seas, nevertheless agrees to lend Bassanio the money. Antonio breaks his custom of never lending or borrowing

money on interest and becomes a patron of Shylock, a Jewish money-lender. The Jew and the Christian Antonio have long considered each other as being despicable because of their different religions and their differing philosophies regarding the practice of usury. By way of jest, Shylock agrees to loan Antonio three thousand ducats without interest if he will sign a bond stipulating that the forfeit for failure of payment be one pound of flesh, which he may cut from any part of the merchant's body. Bassanio refuses to let Antonio enter into such an agreement, but Antonio, confident that his investments will be lucrative, signs Shylock's bond. Bassanio successfully woos and wins Portia, and as a result, he has an enormous amount of wealth at his disposal. Antonio, however, receives news that his ships have been lost. When Shylock's bond is due, the merchant has no money. The Jew, acting within the just limits of the law, demands payment of his bond: one pound of Antonio's flesh. The case is taken to court. The Duke of Venice tells Shylock that he expects him to relent from his unnatural purpose. The Jew replies:

Annotated script:

Proem

SHYLOCK

I have possess'd your Grace of what I purpose;
And by our holy Sabbath have I sworn
To have the due and forfeit of my bond:
If you deny it, let the danger light
Upon your charter and your city's freedom./
You'll ask me, why I rather choose to have
A weight of carrion-flesh, than to receive
Three thousand ducats: I'll not answer that:
But, say, it is my humour: is it answered?
Why if my house be troubled with a rat,
And I be pleased to give ten thousand ducats
To have it baned?/ What, are you answered yet?
1) Some men there are love not a gaping pig;
2) Some, that are mad if they behold a cat;
3) And others, when the bag-pipe sings i' the nose,
Cannot contain their urine: for affection,

Enthymeme based on probability and the consequences of not abiding by the law.

Statement-argument

Line of argument: open attack on issue of the trial.

Enthymeme based on invented example (analogical reasoning based on parallel circumstance: being motivated by a whim or desire).

Enthymeme based on three invented examples (analogical reasoning based on

Pathos: fear evoked in the Duke--consequences which might arise by disregarding the laws of his city. Fear also for Antonio's life.

parallel circumstance: uncontrollable idiosyncrasies).

Mistress of passion, sways it to the mood
Of what it likes or loathes. Now, for your answer:
As there is no firm reason to be render'd,
1-a
Why he cannot abide a gaping pig;
2-a
Why he, a harmless necessary cat;
3-a
Why he, a woollen bag-pipe; but of force
Must yield to such inevitable shame
As to offend, himself being offended;/

Enthymeme based on foregoing enthymeme drawn from three invented examples.

So can I give no reason, nor I will not,
More than a lodged hate and a certain loathing
I bear Antonio, that I follow thus
A losing suit against him./ Are you answered?

Refutation

BASSANIO
This is no answer, thou unfeeling man,
To excuse the current of thy cruelty.

Refutative enthymeme based on an objection.

SHYLOCK
I am not bound to please thee with my answer.

Argument-refutation continued.

BASSANIO
Do all men kill the things they do not love?

Refutative enthymeme based on counter-argument.

SHYLOCK
Hates any man the thing he would not kill?

BASSANIO
Every offence is not a hate at first.

Refutative enthymeme based on counter-argument.

SHYLOCK
What, wouldst thou have a serpent sting thee twice?

ANTONIO
I pray you, think you question with the Jew:
You may as well go stand upon the beach
And bid the main flood bate his usual height;
You may as well use question with the wolf,
Why he hath made the ewe bleat for the lamb;
You may as well forbid the mountain pines
To wag their high tops, and to make no noise,
When they are fretten with the gusts of heaven;
You may as well do any thing most hard,
As seek to soften that--than which what's harder?--
His Jewish heart: therefore, I do beseech you,
Make no more offers, use no farther means,
But with all brief and plain conveniency
Let me have judgement and the Jew his will.

BASSANIO
For thy three thousand ducats here is six.

Refutative enthymeme based

SHYLOCK
If every ducat in six thousand ducats

on objection and probability.

Were in six parts and every part a ducat,
I would not draw them; I would have my bond.

DUKE OF VENICE
How shalt thou hope for mercy, rendering none?

Refutative enthymeme based on counter-argument (invented example and analogical reasoning).

SHYLOCK
What judgement shall I dread, doing no wrong?
You have among you many a purchased slave,
Which like your asses and your dogs and mules,
You use in abject and in slavish parts,
Because you bought them: shall I say to you,
Let them be free, marry them to your heirs?
Why sweat they under burthens? let their beds
Be made as soft as yours, and let their palates
Be season'd with such viands? You will answer
'The slaves are ours:' so do I answer you:

Forensic issue: "the act" (bond) is justifiable.

The pound of flesh, which I demand of him,
Is dearly bought; 'tis mine and I will have it./

Comment on ethos: the obvious villainy of Shylock's purpose; the argument he uses to prove his case, and the choice of words, in some instances, operate to produce a lack or absence of ethical appeal. No true ethical appeal is made in the Aristotelian sense.

Enthymeme based upon probability and the consequences of not abiding by the law. Epilogue	If you deny me, fie upon your law! - - - - - - - - - - - - - - - - - - - There is no force in the decrees of Venice. - I stand for judgement: answer; Shall I have it? -	Pathos: fear evoked in the Duke--consequences which might arise by disregarding the laws of the city. Fear also for Antonio's life.

Summary of Analysis: The structure of Shylock's oration is composed of a proem, a statement, an argument, refutation, and an epilogue. The forensic issue treated in the oration is "that the act" is justified (by law). A means of dealing with prejudice (line of argument) is used by the speaker: he treats openly and effectively the main issue of his trial. No non-artistic proof is present in this speech. Likewise, no use is made of the ethical mode of proof. The speaker's use of the pathetic proof is scant. Logical proof is the means through which the speaker attempts to establish or prove his case. The premises of the enthymemes are drawn from invented examples, probabilities, and refutative enthymemes based on objection and counter-argument.

Isabella's Oration from MEASURE FOR MEASURE

Setting: The setting of Measure for Measure is the morally-corrupt city of Vienna. Vincentio, the Duke of Vienna, realizing that his laxity in enforcing the laws of his city has been largely the cause of the pervasive immorality of his subjects, revives a strict re-enforcement of the law. Fearing that such a drastic reversal of policy would seem tyrannical on his part, he leaves his dukedom and its maintainance to Angelo, an official of high repute. Wishing to spy upon his deputy, however, he dresses himself in the

attire of a friar and appears on the scene in time to witness the arrest of Claudio, a young nobleman. Claudio's crime is adultery; his fiancee, Juliet, is soon to bear him a child. The nobleman, being the first to be arrested since the revision of the law, is sentenced to death. The dissolute Lucio, a friend of Claudio's, goes at his request to ask Claudio's sister, Isabella, a newly-entered novice, to plead on his behalf. The virtuous Isabella--abhorring the crime for which her brother has been condemned--nevertheless compelled by her fear of his death, agrees to Lucio's request. The following is Isabella's plea for her brother's pardon addressed to Angelo, the stern deputy of the new law.

Annotated script:

Proem

ISABELLA
I am a woeful suitor to your honour,
Please but your honour hear me.

Pathos: emotion of pity.

ANGELO
Well; what's your suit?

Line of argument: clearing herself of suspicion.

ISABELLA
There is a vice that most I do abhor,
And most desire should meet the blow of justice;
For which I would plead, but that I must;
For which I must not plead, but that I am
At war 'twixt will and will not.

Ethos: reveals her virtuous character.

Pathos: emotion--pity; reveals also that she is torn between her concept of righteousness and her love and her sense of responsibility regarding her brother.

ANGELO
Well; the matter?

ISABELLA
I have a brother is condemn'd to die:
I do beseech you, let it be his fault,
And not my brother.

Pathos: pity and fear.

PROVOST
(Aside) Heaven give thee moving graces!

Proem continued.

ANGELO

Condemn the fault, and not the actor of it?
Why, every fault's condemn'd ere it be done:
Mine were the very cipher of function,
To fine the faults whose fine stands in record,
And let go by the actor.

Isabella

O just but severe law!
I had a brother, then.--Heaven keep your honour!

Ethos: reveals her respect for the law.
Pathos: emotion of pity.

LUCIO

(Aside to Isabella) Give 't not o'er so: to him again, entreat him;
Kneel down before him, hang upon his gown:
You are too cold; if you should need a pin,
You could not with more tame a tongue desire it:
To him, I say!

Ethos: expression of good will and an absence of remorse.

Statement-Refutation.

ISABELLA

Must he needs die?

ANGELO

Maiden, no remedy.

Logos: enthymeme based on probability.

ISABELLA

Yes; I do think that you might pardon him,
And neither heaven nor man grieve at the mercy.

Ethos: reflects her gentle and merciful nature.

Statement-refutation continued.

ANGELO
I will not do 't.

Refutative enthymeme based on counter argument (probability).

ISABELLA
But can you, if you would?

ANGELO
Look, what I will not, that I cannot do.

Ethos: very gentle, polite rebuke. Her means of attempting to determine the reasons behind Angelo's refusals.

Refutative enthymeme based on counter argument (probability and analogy).

ISABELLA
But might you do 't, and do the world no wrong,
If so your heart were touch'd with that remorse
As mine is to him?

Ethos: gentleness again. Expression of good will.

Pathos: an unpretentious expression of her grief.

ANGELO
He's sentenced; 'tis too late.

LUCIO
(Aside to Isabella) You are too cold.

Refutative enthymeme based on counter argument (invented example based on analogical reasoning) Enthymeme based on probability, involving the principle of equity.

ISABELLA
Too late? Why, no; I, that do speak a word,
May call it back again. Well, believe this,
No ceremony that to great ones 'longs,
Not the king's crown, nor the deputed sword,
The marshal's truncheon, nor the judge's robe,

Ethos: again a gentle refutation of her brother's sentence. Reflects her patience and self-control.

Ethos: an expression of the merciful aspect of her character; a Christian attribute.

Statement-refutation continued.

Become them with one half so good a grace
As mercy does.

Enthymeme based on an invented example. Line of argument: the act "was a mischance, a mistake."

If he had been as you, and you as he,
You would have slipt like him; but he, like you,
Would not have been so stern.

Ethos: reflects her sympathetic nature.

ANGELO

Pray you, be gone.

ISABELLA

Refutative enthymeme based on objection and counter argument (invented example).

I would to heaven I had your potency,
And you were Isabel! should it then be thus?
No; I would tell what 'twere to be a judge,
And what a prisoner.

Ethos: indirectly expressing her willingness to be merciful.
Pathos: emotion--pity and helplessness.

LUCIO

(Aside to Isabella) Ay, touch him; there's the vein.

ANGELO

Your brother is a forfeit of the law,
And you but waste your words.

ISABELLA

Alas, Alas!

Refutative enthymeme based on historical example and probability.

Why, all the souls that were were forfeit once;
And He that might the vantage best have took
Found out the remedy./ How would you be,
If He, which is the top of judgement, should
But judge you as you are? O, think on that;
And mercy then will breathe within your lips,
Like man new made.

Ethos: using Christ's willingness to forgive, to be merciful reflects her Christian character & beliefs.

ANGELO

Be you content, fair maid;
It is the law, not I condemn your brother:
Were he my kinsman, brother, or my son,
I should be thus with him: he must die tomorrow.

ISABELLA

Refutative enthymeme based on counter argument (invented example-analogical reasoning).

Tomorrow! O, that's sudden! Spare him, spare him!
He's not prepared for death. Even for our kitchens
We kill the fowl of season: shall we serve heaven
With less respect than we do minister

Refutative enthymeme based on counter argument (probability).

To our gross selves?/ Good, good my lord, bethink you;
Who is it that hath died for this offence?

Pathos: emotion of fear of brother's death. Ethos: concern for brother's soul reflects again her Christian character and beliefs.

Forensic Issue: "the act did less harm than is alleged."

There's many have committed it.

LUCIO

(Aside to Isabella) Ay, well said.

Statement-Refutation continued.

ANGELO

The law hath not been dead, though it hath slept:
Those many had not dared to do that evil,
If the first that did the edict infringe
Had answer'd for his deed: now 'tis awake,
Takes note of what is done; and, like a prophet,
Looks in a glass, that shows what future evils,
Either now, or by remissness new-conceived,
And so in progress to be hatch'd and born,
Are now to have no successive degrees,
But, ere they live, to end.

ISABELLA

Yet show some pity.

. . . . . .

ANGELO

I show it most of all when I show justice;
For then I pity those I do not know,
Which a dismiss'd offence would after gall;
And do him right that, answering one foul wrong,
Lives not to act another. Be satisfied;
Your brother dies to-morrow; be content.

ISABELLA

So you must be the first that gives his sentence,

Enthymeme based

And he, that suffers. O, it is excellent

. . . . . .

Ethos: reflects her

on maxim.

Statement-Refutation continued.

To have a giant's strength; but it is tyrannous
To use it like a giant.

belief in a responsible, beneign execution of authority.

(Aside to Isabella) LUCIO
That's well said.

ISABELLA

Enthymeme based on invented example and probability.

Could great men thunder
As Jove himself does, Jove would ne'er be quiet
For every pelting, petty officer
Would use his heaven for thunder.

Ethos: the subject matter of which her invented examples are composed are ethos-producing elements.

Enthymeme based on invented example and probability.

Nothing but thunder!/ Merciful Heaven,
Thou rather with thy sharp and sulphurous bolt
Split'st the unwedgeable and gnarled oak
Than the soft myrtle: but man, proud man,
Drest in a little brief authority,
Most ignorant of what he's most assured,
His glassy essence, like an angry ape,
Plays such fantastic tricks before high heaven

Ethos: expression of her belief in a merciful divinity, and indirectly of her belief that men do not have the right to judge other men.

Statement-Refutation continued.

As make the angels weep; who, with our spleens,
. . . . . .
Would all themselves laugh mortal.
. . . . . .

LUCIO

(Aside to Isabella) O, to him, to him wench! he will relent;
He's coming; I perceive 't.

PROVOST

(Aside) Pray heaven she win him!

ISABELLA

Enthymeme based on maxim.

We cannot weigh our brother with ourself:
. . . . . .
Great man may jest with saints; 'tis wit in them,
. . . . . .
But in the less foul profanation.
. . . . . .

Ethos: direct expression of her Christian belief: "judge not lest ye be judged."

LUCIO

Thou'rt i' right, girl; more o' that.

ISABELLA

Enthymeme based on maxim.

That in the captain's but a choleric word,
. . . . . .
Which in the soldier is flat blasphemy.
. . . . . .

Ethos: again, an expression of her belief that God, not man is the supreme judge.

LUCIO

(Aside) Art avised o' that? more on 't.

ANGELO

Why do you put these sayings upon me?

Enthymeme based on probability.

ISABELLA

Because authority, though it err like others,
Hath yet a kind of medicine in itself,
That skins the vice o' the top./ Go to your bosom;
Knock there, and ask your heart what it doth know
That's like my brother's fault: if it confess
A natural guiltiness such as is his,
Let it not sound a thought upon your tongue
Against my brother's life.

Ethos: again, an expression of her belief in mercy.

Enthymeme based on invented example and probability.

Ethos: reflects her openness of character--a frank approach, also her sympathetic nature.

ANGELO

(Aside) She speaks, and 'tis
Such sense, that my sense breeds with it. Fare you well.

Epilogue

ISABELLA

Gentle my lord, turn back.

Ethos: a patient pleader

ANGELO

I will bethink me: come again to-morrow.

ISABELLA

Hark how I'll bribe you: good my lord, turn back.

Ethos: politely persistent.

ANGELO

How? bribe me?

ISABELLA
Ay, with such gifts that heaven shall share with you.

Ethos: good will.

LUCIO
(Aside to Isabella) You had marr'd all else.

ISABELLA
Not with fond sicles of the tested gold,
Or stones whose rates are either rich or poor
As fancy values them; but with true prayers
That shall be up at heaven and enter there.
Ere sun-rise, prayers from preserved souls,
From fasting maids whose minds are dedicated
To nothing temporal.

Ethos: good will; an expression of her belief in prayer.

ANGELO
Well; come to me tomorrow.

LUCIO
(Aside to Isabella) Go to; 'tis well; away!

ISABELLA
Heaven keep your honour safe!

Ethos: good will.
Comment: Isabella's competency is demonstrated by her ability to invent arguments. She has no sound evidence, but she invents parallel situations or examples and reasons effectively from these.

Summary of analysis: An analysis of the structure of this oration reveals that the parts of a speech present are the proem, the statement, an argument in the form of refutation, and the epilogue. One of the forensic issues with which Isabella's speech is involved is "that the act did less harm than is alleged." The speaker uses two means of dealing with prejudice (line of argument): 1) she attempts to clear herself of suspicion, and 2) the act was a mistake, "a mischance". No use of non-artistic proof is to be found in the oration. The speaker's use of ethical proof is predominant. Logical proof is also used a great deal. There are few elements of pathetic proof incorporated into the speech. The premises from which the enthymemes are drawn are invented and historical examples, probabilities, maxims and refutative enthymemes based on counter-arguments.

Othello's Oration from THE TRAGEDY OF OTHELLO

Setting: Othello, the black-skinned Moor, held in high esteem for his vâour in the Venetian wars against the Turks, is raised to the rank of general by the Senate of Venice. The Moor is greatly admired by Brabantio, a wealthy and powerful senator, and he is often invited to the senator's home. Desdemona, Brabantio's only daughter, is enraptured by

the nobility and striking simplicity of the dark man. The tales of adventure which Othello relates to Brabantio kindle Desdemona's fascination into a deep sympathy, admiration, and love. Their differences of race and color vanish. They are secretly married. When hearing of the union, Brabantio accuses Othello of seducing Desdemona by witchcraft, and he orders the Moor to appear before the senate council. The following is Othello's oration of defense delivered in the council-chamber of the Venetian Senate.

Annotated script:

Proem

OTHELLO

Most potent, grave, and reverend signoirs,
My very noble and approved good masters,/
That I have ta'en away this old man's daughter,

Ethos: good will and respect extended to auditors.

Line of argument: to clear himself of suspicion.

It is most true; true, I have married her:
The very head and front of my offending
Hath this extent, no more./ Rude am I in my speech,
And little blest with the soft phrase of peace;
For since these arms of mine had seven years' pith,
Till now some nine moons wasted, they have used
Their dearest action in the tented field;
And little of this great world can I speak,
More than pertains to feats of broil and battle;
And therefore little shall I grace my cause

Ethos: openness of character and candor of speech.

Ethos: reveals a humble aspect of his character and suggests his competency as a soldier.

Line of argument: direct attack on the issues with which he is charged.

In speaking for myself./ Yet, by your gracious patience,
I will a round unvarnish'd tale deliver
Of my whole course of love; what drugs, what charms,

Ethos: again, his openness of character is revealed: he wishes to make it clear that

Proem continued.

What conjuration and what mighty magic--
For such proceeding I am charged withal--
I won his daughter.

their courtship was a natural one.

BRABANTIO

A maiden never bold;
Of spirit so still and quiet that her motion
Blush'd at herself; and she--in spite of nature,
Of years, of country, credit, every thing--
To fall in love with what she fear'd to look on!
It is a judgement maim'd and most imperfect,
That will confess perfection so could err
Against all rules of nature; and must be driven
To find out practices of cunning hell,
Why this should be. I therefore vouch again,
That with some mixtures powerful o'er the blood,
Or with some dram conjured to this effect,
He wrought upon her.

DUKE

To vouch this, is no proof,
Without more certain and more overt test
Than these thin habits and poor likelihoods
Of modern seeming do prefer against him.

FIRST SENATOR

But, Othello, speak:
Did you by indirect and forced courses
Subdue and poison this young maid's affections?
Or came it by request, and such fair question
As soul to soul affordeth?

Statement

Preparation for the use of a mode of non-artistic proof.

Enthymeme based on the probability of Desdemona's testimony.

OTHELLO

I do beseech you.
Send for the lady to the Sagittary,
And let her speak of me before her father:
If you do find me foul in her report,
The trust, the office I do hold of you,
Not only take away, but let your sentence
Even fall upon my life.

Ethos: his willingness to have Desdemona testify as to the manner of their courtship and his willingness to give up his military appointment and his life demonstrate again his unquestionable character and aid in the establishment of his innocence.

DUKE

Fetch Desdemona hither.

OTHELLO

Ancient, conduct them; you best know the place.

Enthymeme based on probability and analogical reasoning.

And till she come, as truly as to heaven
I do confess the vices of my blood,
So justly to your grave ears I'll present
How I did thrive in this fair lady's love
And she in mine.

Ethos: reflects his Christian character and beliefs.

DUKE

Say it, Othello.

Statement-Narration

Use of narration to establish ethical proof.

OTHELLO

Her father loved me, oft invited me,
Still question'd me the story of my life
From year to year, the battles, sieges, fortunes,
That I have pass'd.
I ran it through, even from my boyish days
To the very moment that he bade me tell it:
Wherein I spake of most disastrous chances,
Of moving accidents by flood and field,
Of hair-breadth 'scapes i' the imminent deadly breach,
Of being taken by the insolent foe,
And sold to slavery, of my redemption thence,
And portance in my travels' history:
Wherein of antres vast and deserts idle,
Rough quarries, rocks, and hills whose heads touch heaven,
It was my hint to speak,--such was the process;
And of the Cannibals that each other eat,

Ethos: the past admiration that Desdemona's father held for Othello testifies to the positive nature of his character.

Ethos: the unpretentious references he makes to his life as a soldier reflect a humble aspect of character; they also reveal his competency as a soldier and as a speaker of good taste. The style of the narrative is clear, concise with an absence of ornateness; also an ethos producing factor.

Statement-Narration continued.

The Anthropophagi, and men whose heads
Do grow beneath their shoulders. This to hear
Would Desdemona seriously incline:
But still the house-affairs would draw her thence;
Which ever as she could with haste dispatch,
She'ld come again, and with greedy ear
Devour up my discourse: which I observing,
Took once a pliant hour, and found good means
To draw from her a prayer of earnest heart
That I would all my pilgrimage dilate,
Whereof by parcels she had something heard,
But not intentively: I did consent,
And often did beguile her of her tears
When I did speak of some distressful stroke
That my youth suffer'd. My story being done,
She gave me for my pains a world of sighs:
She swore, in faith, 'twas strange, 'twas passing strange;

Ethos: honesty of character: he admits he pursued his love but in a natural way.

Use of narration to establish ethical proof.

Statement-Narration continued.	'Twas pitiful, 'twas wondrous pitiful: She wish'd she had not heard it, yet she wish'd That heaven had made her such a man: she thank'd me, And bade me, if I had a friend that loved her, I should but teach him how to tell my story,	Ethos: reveals an appreciative aspect of his nature--appreciative of Desdemona's sympathy and admiration.
Epilogue	And that would woo her./ Upon this hint I spake: She loved me for the dangers I had pass'd, And I loved her that she did pity them.	Ethos: again, he depicts himself as the aggressor in their courtship and discloses that their love is based upon sympathy, admiration, etc., and that it is not the result of some supernatural art.
Preparation for the use of a mode of non-artistic proof: witness.	This only is the/ witchcraft/ I have used. Here comes the lady; let her witness it.	Ethos: his use of the word witchcraft again reveals an open treatment of the charge brought against him. His merely mentioning it as the alleged means by which he wooed his wife negates its original meaning. The play on words technique actually adds to his establishment of ethical proof.

Summary of Analysis: The analysis of the structure of Othello's oration shows the parts of the speech to be the proem, the statement, the narration which is used to establish ethical proof, and the epilogue. The forensic issue treated is "that the act was not committed." Othello uses two means of dealing with prejudice (lines of argument): 1) he attempts to clear himself of suspicion and 2) he directly attacks the charges made against him. There is within the speech a preparation for the use of non-artistic proof: a witness. The speaker's use of ethical proof is decidedly predominant. His use of logical proof is not great. The speaker seems to make no use of the elements of pathetic proof. The premises of the enthymemes are drawn from the realm of probability.

Alcibiades' Oration from TIMON OF ATHENS

Setting: Alcibiades, a famous general of Athens, comes to the aid of a soldier and friend. The soldier is sentenced to death by the Athenian Senate for killing a man in self-defense. The soldier had fought valiantly for the state, and Alcibiades, feeling that the sentence is unjust, intervenes. The following oration is the general's plea for the life of his friend, addressed to the Senate of Athens.

Annotated Script:

Proem

ALCIBIADES
Honour, health, and compassion to the senate!

Ethos: good will.

FIRST SENATOR
Now, captain?

Line of argument: clears himself of suspicion.

ALCIBIADES
I am an humble suitor to your virtues;
For pity is the virtue of the law,

Enthymeme based on maxim.

And none but tyrants use it cruelly.

Statement-narration

It pleases time and fortune to lie heavy
Upon a friend of mine, who in hot blood
Hath stepped into the law; which is past depth

Use of narration to produce ethos.

To those that without heed do plunge into't.
He is a man, setting his fate aside,
Of comely virtues:

Forensic issue: "the act did less harm than is alleged," (or is less offensive).

Nor did he soil the fact with cowardice--
An honour in him which buys out his fault--
Seeing his reputation touch'd to death,

Ethos: he reveals himself as one who appeals to the good in people. By speaking thusly he complements his auditors. The proem also suggests that he believes in a benèign and merciful execution of authority.

Ethos: the narration produces ethical proof for both the defendant and the speaker. The defendant is described as a brave, virtuous, honorable man who prizes his repute above everything else. The speaker is of a character that is

He did oppose his foe:
. . . . . .
And with such sober and unnoted passion
. . . . . .
He did behave his anger, ere 'twas spent,
. . . . . .
As if he had but proved an argument.
. . . . . .

capable of appreciating such virtues in men, and obviously, capable of meeting the responsibilities that true friendship entails.

FIRST SENATOR

Argument-refutation

You undergo too strict a paradox,
Striving to make an ugly deed look fair:
Your words have took such pains, as if they labour'd
To bring manslaughter into form, and set quarrelling
Upon the head of valour; which indeed
Is valour misbegot and came into the world
When sects and factions were newly born:
He's truly valiant that can wisely suffer
The worst that man can breathe, and make his wrongs
His outsides, to wear them like his raiment, carelessly,
And ne'er prefer his injuries to his heart,
To bring it into danger.
If wrongs be evils, and enforce us kill,
What folly 'tis to hazard life for ill!

ALCIBIADES

My lord,—
. . . .

FIRST SENATOR

You cannot make gross sins look clear:
To revenge is no valour, but to bear.

ALCIBIADES

My lords, then, under favour, pardon me,
. . . . . .

Ethos: good will;

Refutative enthymeme based on a counter-argument. (invented example)

If I speak like a captain.
Why do fond men expose themselves to battle,
And not endure all threats? sleep upon't,
And let the foes quietly cut their throats,
Without repugnancy?/ If there be
Such velour in the bearing, what make we
Abroad? Why then women are more valiant
That stay at home, if bearing carry it;
And the ass more captain than the lion, the felon
Loaden with irons wiser than the judge,
If wisdom be in suffering./ O my lords,
As you are great, be pitifully good:/
Who cannot condemn rashness in cold blood?
To kill, I grant, is sin's extremest gust;
But in defence, by mercy, 'tis most just./
To be in anger is impiety;

respect. (Present also in the fragmentary effort to speak above.)

Refutative enthymeme based on counter-argument (three invented examples).

1)
2)
3)

Ethos: competency of intelligence and as a speaker is manifested by his ability to invent evidence to support his argument.

Enthymeme based on maxim.

Ethos: good will extended to the senators in the form of a compliment; an indirect expression of his belief in equity. (character)
Pathos: emotion of pity.

Enthymeme based on maxim and

Ethos: reflects his sympathetic nature; an open consideration

analogical reasoning (contingent upon the foregoing enthymeme.)

But who is man that is not angry?

Weigh but the crime with this.

SECOND SENATOR

You breathe in vain.

ALCIBIADES

Refutative enthymeme based on counter-argument (probability).

In vain! He's service done

At Lacedoemon and Byzantium

Were a sufficient briber for his life.

FIRST SENATOR

What's that?

ALCIBIADES

Refutative enthymeme based on counter-argument. Forensic subject: justice.

I say, my lords, has done fair service,

And slain in fight many of your enemies:

How full of valour did he bear himself

In the last conflict, and made plenteous wounds!

SECOND SENATOR

He has made too much plenty with 'em;
He's a sworn rioter: he has a sin
That often drowns him, and takes his valour prisoner:
If there were no foes, that were enough

of the elements involved in his friend's crime (honesty of character); also the speaker's competency is demonstrated by his ability to invent arguments and evidence (example and maxims) and to reason from them.

Ethos: (for speaker) persistent character; braving his own welfare for his friend. (for defendant) Competent and valorous soldier. Pathos: emotion of pity.

To overcome him: in that beastly fury
He has been known to commit outrages
And cherish factions: 'tis inferr'd to us,
His days are foul and his drink dangerous.

FIRST SENATOR

He dies.

ALCIBIADES

Argument-Refutation continued. Refutative enthymeme based on counter-argument.

Hard fate! He might have died in war.
My lords, if not for any parts in him--
Though his right arm might purchase his own time
And be in debt to none--yet, more to move you,
Take my deserts to his and join 'em both:
And, for I know your reverend ages love
Security, I'll pawn my victories, all
My honours to you, upon his good returns./

Ethos: reflects his sympathy and sorrow for his friend. Pathos: emotion of pity for both friend and the speaker.

Ethos: reveals the character of a generous, self-sacrificing friend. It is also an expression of good will toward the senators.

Enthymeme based on probability.

If by this crime he owes the law his life,
Why, let the war receive't in valiant gore;
For law is strict, and war is nothing more.

Pathos: an expression of futility of the soldier's life if his friend is doomed to suffer this unjust fate.

FIRST SENATOR

We are for law: he dies; urge it no more,

Argument-Refutation continued.

On height of our displeasure: friend or brother,
He forfeits his own blood that spills another.

Refutative enthymeme based on objection.

ALCIBIADES

Must it be so? it must not be so. My lords,
I do beseech you, know me.

How!

SECOND SENATOR

Call me to your remembrances.

ALCIBIADES

What!

THIRD SENATOR

Ethos: a patient, persistent, but polite pleader.
Pathos: emotion of pity felt for both pleader and the defendant; emotion of fear evoked for the condemned.

Refutative enthymeme based on counter-argument (probability).

ALCIBIADES

I cannot think but your age has forgot me;
It could not else be I should prove so base
To sue and be denied such common grace:
My wounds ache at you.

FIRST SENATOR

Do you dare our anger?
'Tis in few words, but spacious in effect;
We banish thee for ever.

Ethos: his persistency demonstrates his valour and his concern for his friend.

Ethos: recalls his services in the war on the senator's behalf.
Pathos: emotion of pity for both speaker and defendant.

Refutative enthymeme based on counter-argument.

ALCIBIADES

Banish me!
Banish your dotage; banish usury,
That makes the senate ugly.

FIRST SENATOR

If after two days' shine, Athens contain thee,
Attend our weightier judgement. And, not to swell our spirit,
He shall be executed presently.

Summary of Analysis: The structure of Alcibiades' oration is incomplete because of the dramatic purposes of the playwright. All the parts of a speech, the proem, the statement, the narration, the argument and refutation are present, with the exception of the epilogue. The narration is used to establish ethical proof. The issue of the speech is "that the act did less harm (or is less offensive) than is alleged." The forensic subject treated is justice. Alcibiades attempts to combat prejudice (line of argument) by clearing himself of suspicion. No use of non-artistic proof is found in the oration. The speaker's use of logical proof is the predominant means through which he attempts to prove his case. He also incorporates the ethical mode of proof effectively into his speech. Very little use is made of the pathetic proof. The premises from which the enthymemes are drawn are probabilities, maxims, analogical circumstances, and refutative enthymemes based on objection and counter-argument.

CHAPTER V

SUMMARY AND CONCLUSIONS

The purposes of this chapter are four-fold. First, the results of the analyses of the orations executed in Chapter IV are summarized topically. These eleven orations are then compared to Hermione's oration for evaluative purposes. Second, Kennedy's conclusion that Hermione's oration represents the best of the forensic speeches is by this method also subjected to evaluation. Third, the techniques used by Shakespeare in his orations and the changes that occurred in the structure of the orations as the playwright's career progressed are also considered within the framework of the foregoing methodology. Fourth, evidences for or against Kennedy's conclusion, "He [Shakespeare] perfected the revival of the ancient rhetoric in poetic," are presented through a comparison of the results of these analyses with Kennedy's own conclusions regarding the quality of the forensic orations in each of the four periods of Shakespeare's career.

It will be recalled that every part of a speech advocated by Aristotle is found within

Hermione's oration: the proem (which is shifted to a source other than the speaker); the statement, the narration, the argument, the refutation, and the epilogue. The use of these parts is in harmony with Aristotelian precepts of taxis and with his precepts dealing with forensic speaking in particular. The narration is used to augment Hermione's establishment of ethical proof, and the epilogue accomplishes all of the four objectives which Aristotle advocated. Hermione uses two of the means of dealing with prejudice: she constructs those arguments which would clear her of suspicion, and she wages a direct attack upon the charges with which her trial is concerned. The forensic issue of her oration is "that the act was not committed." The forensic subjects are honor and justice. Hermione prepares for the incorporation of a mode of non-artistic proof in her oration by transferring her source of judgement from Leontes to the oracle. The oracle's message serves as a witness to the validity of her arguments. All three modes of artistic proof are used effectively. Hermione's innocence, however, is established largely through the use of ethical proof, the logical mode of proof serving as the vehicle through which the ethical proof of the speaker is established. The premises from which the enthymemes are drawn include

maxim, analogy, example, certain sign, and probability. Refutative enthymemes are based on objection and counter-argument. Pathetic elements of proof are arrestingly present in the oration. The speaker's use of pathetic proof, however, is not direct. An emotional response of pity arises naturally within the auditors because of Hermione's seemingly hopeless situation.

The results of the structural analyses of the remaining eleven orations from Chapter IV, treating each part of the oration topically, are considered with the foregoing summary in mind.

Aristotle's concept of the function of a proem is recalled:

> The superlative function of the proem [is] to make clear the end and object of your work. And hence, if your matter is plain and short, a proem really should not be employed.[1]

Every oration, nevertheless, has a proem. Four out of the eleven of these proems are shifted to a source other than the speaker: Aegeon's proem is assumed by Solinus, the Duke of Ephesus; Henry V introduces the subject upon which the Lord Chief Justice must defend his actions; similarly, Henry IV asks Worcester why he forces the kingdom to "doff our easy

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[1]Aristotle, The Rhetoric of Aristotle, translated by Lane Cooper, (New York: Appleton-Century-Crofts, Inc., 1932) p. 223.

robes of peace," and the officer of the law in The Winter's Tale, reading the edictment against Hermione, introduces the objectives of her oration. Three out of the seven remaining orations seem to have incomplete proems when they are evaluated in light of Aristotle's precept, however. Antipholus of Ephesus, for example, states that the "end and object" of his speech is "justice." His proem is incomplete because he does not make clear the source or the nature of the injustice or to whom it was done. The oration is addressed to the Duke, who knows nothing of Antipholus' plight. The absent information is not supplied until the statement following the proem proper. Tamora's proem is emotionally-succinct: ". . . rue the tears I shed, a mother's tears in passion for her son." This proem could be interpreted, however, that she is sorrowing for her ill-fated son or that she is shedding tears with the hope that someone will pity her and her son. There is no clear indication that a plea for his life will be the subject of her oration. The proem of Friar Lawrence's oration is an equivocal indication of what is to follow:

> And here I stand, both to impeach and purge
> Myself condemn and myself excuse.

The proems in the orations of Mowbray, Shylock, Isabella, Othello, and Alcibiades fulfill Aristotle's precept. Isabella's and Othello's proems are the

most complete. The others are adequate to the dramatic circumstances, i. e., the speakers' auditors know ahead of time the subject matter of their speeches. The four proems which are shifted to sources other than the speaker also adequately accomplish their purpose.

In consideration of the statement part of an oration, Aristotle has said that there are essentially two parts to a speech: "Necessarily, you state your case and you prove it."[2] The statement of an oration, then, contains the speaker's contentions which must be substantiated or proven sometime during the interim of the speech.

Every oration analyzed has a statement, and all but two of these statements adequately accomplish their purpose of stating the case. The two orations which contain weak statements are those of Tamora and Worcester. Tamora's statement does not "state" her case when her statement is related to the remainder of the oration. In it she says that as Titus' sons were "dear" to him, so is her son "dear" to her. That statement is an argument; it does not contain the contentions which she attempts to "prove" in the remaining parts of her oration. Worcester's statement is also deficient in this respect. In his statement he says that he has "not sought the day of this dislike." The argument he then advances relates the

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[2]Ibid., p. 220.

king's misuse of him and his house as the reasons for their organizing a formidable army. The discrepancy between the statement and the argument no doubt is indicative of the villainy which he and his family are promoting.

Eight of the twelve orations combine the statement with other parts of the speech: Tamora's and Mowbray's oration combine the statement with the narration, and the argument; in the orations of the Lord Chief Justice, Alcibiades, and Friar Lawrence the sources of statement and narration are synonymous; Shylock's statement is identical with his argument, and in the oration of Isabella, the statement is composed of argumentative dialogue (refutation). Kennedy in his classification of the forensic orations has indicated that Isabella's speech is not sufficiently public to be considered a pure oration. The dramatic situation wherein Isabella seeks to obtain the attention of the adamant judge, Angelo, and to persuade him to reconsider the death sentence that he has levied upon Isabella's brother produces this unusual statement-argument (refutation) combination. Hermione's statement and narration intertwine: statement, narration, statement. The four orations in which the statements and the narrations appear in a relatively pure form are those of Aegeon, Othello, Worcester, and Antipholus.

In the latter the narration is interrupted by refutation. The statements of Mowbray, Alcibiades, Shylock and Hermione are the most effective. When considering the Aristotelian function of a statement, however, it appears that Hermione's statement is superior in terms of completeness, candor of speech, and purity, i.e., the statement is not directly combined with the other parts of the oration.

The only two speeches which do not contain a narration are those of Shylock and Isabella. The use of the narration in the remaining ten orations is extremely varied. In length, the narration ranges from three lines to three or more pages. In relation to the speech as a whole it varies from a means to introduce an enthymeme to being the whole substance or argument of the speech; and as it has been demonstrated in the treatment of the statement, the use of the narration also varies in its combination with other parts of the speech. The one distinguishable constant feature of the narration is that it is used to reveal the character of the speaker, and in most instances, it aids in the speaker's establishment of ethical proof.

It will be recalled that Aristotle has said the following concerning the use of the narration in forensic speaking:

> The defence needs less narration . . . unless your story will bear on the contention . . . it was no injustice, or the like. Further, speak briefly of events as past and gone, except when representing them as present will excite pity and indignation.[3]

The procedure which is followed in summarizing the use of the narration in the twelve orations is to group the narrations according to their use in the orations and to compare their use to Aristotle's foregoing precept. The narrations in the orations of Aegeon, Antipholus, Friar Lawrence, Worcester, Othello, and Hermione are all used in one degree or another as arguments. All of these narrations--with the exception of Hermione's and, to a lesser degree, Othello's--contain the main substance of the speeches. Also, they are all lengthy, when their length is proportionally compared with the other parts of the speech. The use of these narrations is, however, to a greater or lesser degree in harmony with Aristotle's precept. The theme of Aegeon's narrative is "that the act did less harm than is alleged." It is also highly successful in evoking an emotional response of pity from the auditors. It is the longest of all the narrations, but its length is necessary for the dramatic purposes of the play. The speech occurs at the very beginning of the play, and it serves to inform the audience of

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[3]Ibid., 3. 16, p. 230.

the background events which have produced the unique situation in The Comedy of Errors. Antipholus' narration attempts to describe to the Duke the injustices which have been thrust upon him. The purpose of the narrative in Friar Lawrence's oration is to clear him of the suspicion of murder. Worcester's narration is used as an argument to justify his and his family's actions against Henry V. Through narration, Othello proves that he wooed Desdemona in a natural way. Hermione's narration is a combination of argument and a means by which she evokes both "pity" and "indignation" from her audience. Mowbray's short four-line narration can also be considered, in an indirect way, argumentative. The narration consists of a self-confession concerning the pleader's once planned attempt to murder the father of his forensic opponent. Indirectly, through ethical appeal and inference, the narrative adds weight to the more relevant points of argument that Mowbray advances. The narrations in the orations of the Lord Chief Justice and Alcibiades are, as has been previously stated, synonymous with the statements of the speeches. They also contain elements of argument. Their use, too, is in harmony with Aristotle's precept concerning the use of the narration in forensic speaking to "depict character":

> The narration should depict character; and it will do so if we know what imparts character (ethos). One thing that will give this

> quality is the revelation of moral purpose; for the quality of the ethos is determined by the quality of the purpose revealed, and the quality of this purpose is determined by its end.[4]

The narrations of Aegeon, Mowbray, Friar Lawrence, the Lord Chief Justice, Othello, Alcibiades, and Hermione reveal either directly or indirectly that the speakers have acted or are acting with a moral purpose in mind. In his statement Aegeon says that he will tell his tale of woe so "that the world may witness" that his "end was wrought by nature, not by vile offence." The narration of Mowbray reveals the speaker to be a man who once erred, but whose return to the path of good-living was prompted by a moral purpose. Friar Lawrence gambles his reputation to tell the grieving relatives of the circumstances surrounding the deaths of Romeo, Juliet, and Paris. The Lord Chief Justice tells Henry V that his actions in the past situation under discussion were executed in the name of the king and for the purpose of defending the king's laws and his honor. Honest Othello wishes the Senators and his wife's father to know that he wooed and won Desdemona in a natural way. Alcibiades' narration reveals that he is acting in the interests of a friend. Hermione succinctly narrates the relationships of her past life in an attempt to show

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[4]Ibid.

Leontes the absurdity of his suspicions. When considering the impeccable character of the speaker, the narration could be interpreted as a disguised effort to protect Leontes from being the tragic victim of his own jealousy. There are certainly many character traits, evidences of extended good will, and demonstrations of the competencies of the speakers present in the narrations. These elements of ethical proof, however, have been treated in detail on the annotated manuscripts in Chapter IV.

The narrations of Antipholus and Worcester do not depict the speakers as being motivated by a moral purpose. The setting of Antipholus' oration is comic, and all serious situations and considerations which the speech recalls or advances are to the audience extremely humorous. Worcester's oration is a twisted account of the past. His actions and the actions of his family, which threaten the safety of the king and his throne, are obviously not motivated by a moral purpose. The context of Tamora's narration in itself reveals no moral purpose; but such a purpose is inferred because she is pleading for the life of her son.

When considering an Aristotelian evaluation of the use of the narration in these twelve orations, it appears that the narrations of Aegeon, the Lord Chief Justice, Othello, and Hermione are superior. Aegeon's narrative is the least effective because of its extra-

ordinary and seemingly unnecessary length. As has been previously stated, however, the dramatic purposes of the playwright require a complete account of past events. Again, it appears that Hermione's narration meets and fulfills the requirements of Aristotle's precepts most completely. Her narration evokes "pity" and "indignation" from her auditors; it simultaneously, in a subtle way, attempts to guard Leontes from making a great mistake, and depicts the speaker's character in terms of patience, magnanimity, virtue, showing her to be one who in good taste declines an opportunity to be indignant or to be emotionally and pretentiously persuasive.

Table 4 summarizes the structure of the orations, showing the relationships of the structural parts of the orations, and indicates in which orations the narrations are used to establish ethical proof. Some evaluative comments as to the quality and effectiveness of the use of the parts are also included in this table.

Before dealing with the argument and refutation parts of the orations, it is necessary to define what is meant by these terms. The term argument is used in this portion of this summary in two senses: it refers to those arguments advanced by the speaker which employ elements of logical proof, or it refers

TABLE 4

A SUMMARY OF THE STRUCTURE OF THE ORATIONS

Speaker	Proem	Statement	Narration	Argument	Refutation	Epilogue
Aegeon	shifted separate (complete)	separate (adequate)	separate, produces ethos (effective)	-------	------	rather weak
Antipholus of Ephesus	separate (not complete)	separate (adequate)	combined with argument--interupted by refutation; produces ethos (ineffective)	combined with narration (ineffective)	occurs within narration (ineffective)	no epilogue
Tamora	separate (not clear)	a part of the argument	combined with statement and argument; produces ethos (effective)	combined with statement and narration (effective)	-------	effective
Friar Lawrence	separate (not clear)	combined with narration	combined with statement; produces ethos (effective)	----------	-------	weak
Mowbray	separate (complete)	a part of the argument	combined with argument; produces ethos (effective)	combined with statement and narration (effective)	separate (effective)	effective
Worcester	shifted (complete)	separate (incongruous with rest of speech)	combined with argument; produces some ethos (ineffective)	combined with narration (ineffective)	--------	weak
The Lord Chief Justice	composed of dialogue (complete)	combined with narration	combined with statement; produces ethos (effective)	separate (effective)	--------	effective
Shylock	separate (adequate)	combined with argument (logically effective)	-------	combined with statement (logically effective)	arises out of argument (logically effective)	effective
Isabella	composed of dialogue (complete)	combined with argument and refutation	-------	combined with statement (effective)	combined with statement and argument (effective)	composed of dialogue (adequate)
Othello	separate (effective)	separate (effective)	separate; produces ethos (effective)	---------	---------	effective
Alcibiades	separate (adequate)	combined with narration (effective)	combined with statement; produces ethos (effective)	interrupted by refutation (effective)	arises from the argument (effective)	no epilogue
Hermione	shifted (complete)	intertwines with narration (effective)	intertwines with statement; produces ethos (effective)	interrupted by refutation (effective)	arises from the argument (effective)	effective

to that part of the speech which can be clearly distinguished as "the argument" of the oration. Referring to argument in the later sense, Aristotle has said that refutation is a part of the argument. When the term refutation is used, it refers to dialogue which contains specific arguments that are drawn from logical premises (counter-arguments) or refutative statements based on objection.

Of the twelve orations, eight contain a section which can be identified as "the argument." This section in five out of the eight orations contains both argument and refutation; one of the eight contains only refutation, and two of the eight contain only argument. These eight are the orations of Antipholus, Tamora, Mowbray, the Lord Chief Justice, Shylock, Isabella, Alcibiades, and Hermione. The latter four are decidedly superior to the first four in that the arguments advanced by the speakers contain more elements of logical proof.

Table 5 illustrates that the speakers of the third and fourth period of Shakespeare's writing career use more elements of logical proof than do the speakers from the first and second periods.

When considering an evaluation of the speakers' use of logical proof, Hermione's oration again appears to be the best of the four. Shylock's use of logical proof is cleverly executed. He invents his arguments

TABLE 5

A SUMMATION OF THE ELEMENTS OF LOGICAL PROOF USED BY THE TWELVE FORENSIC SPEAKERS

	Total Number of Enthymemes	Total Number of Refutative Enthymemes	Premises from which enthymemes are drawn						
			Certain Signs	Examples a) invented b) historical	Probabilities	Analogy or Analogical Reasoning	Maxims	Refutative Enthymemes: Objection	Refutative Enthymemes: Counter-Argument
					Period I				
Aegeon	1	0	0	0	1	0	0	0	0
Antipholus of Ephesus	2	2	0	0	1	0	0	1	1
Tamora	4	0	0	2	1	3	1	0	0
					Period II				
Friar Lawrence	0	0	0	0	0	0	0	0	0
Mowbray	5	2	0	0	0	0	4	0	2
Worcester	0	0	0	0	0	0	0	0	0
The Lord Chief Justice	3	0	0	2	1	0	0	0	0
Shylock	10	5	0	5	3	3	0	2	3
					Period III				
Isabella	17	7	0	invented 7 historical 1	0	4	3	0	7
Othello	2	0	0	0	2	1	0	0	0
Alcibiades	10	4	0	4	2	1	3	1	4
Hermione	11	5	10	0	3	2	2	4	1
Total	65	24	10	21	24	14	13	8	18

and reasons effectively from them, but the villainy of his contention negates all the proof-proving power that would otherwise be inherent within such arguments. Isabella and Alcibiades for the most part are also forced to invent their arguments. They argue effectively and persuasively, and unlike Shylock, their ethical attributes operate in their favor. Their use of logical proof or argument and refutation is inferior to Hermione's, however, because she has available tangible evidence from which she draws many of her enthymemes. It is significant that Hermione is the only speaker out of the twelve who incorporates into her argument enthymemes that are drawn from the premises of certain signs. These signs are ten in number.

Aristotle has said in regard to the function of the epilogue in forensic speaking:

> The epilogue is made up of four elements. (1) You must render the audience well-disposed to yourself, and ill-disposed to your opponent; (2) you must magnify and depreciate (make whatever favors your case seem more important and whatever favors his case seem less); (3) you must put the audience in the right state of emotion; and (4) you must refresh their memories.[5]

Three of the twelve orations have no epilogue. Because of the dramatic purposes of the playwright, Antipholus' and Alcibiades' orations are terminated

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[5]Ibid., p. 240.

during the refutation. The end of Isabella's speech is pure dialogue; technically-speaking, it cannot be considered an epilogue even though it is labeled as such on the annotated manuscript. For the sake of completeness, however, the ending of her oration is examined in light of Aristotle's precept. During the termination of her speech Isabella renders her small audience "well-disposed to" her and "ill-disposed to" her opponent, and to some extent she puts her "audience into the right state of emotion." The remaining nine epilogues are considered in Table 6.

Table 7 summarizes the forensic issues with which the orations are concerned in terms of Aristotle's four possible issues of forensic speaking, the forensic subjects found in the orations in terms of Aristotle's three subjects of forensic speaking, and those lines of argument which he advocated a speaker should use when "dealing with prejudice."

In Aegeon's oration the forensic issue is probably more clearly interpreted as "the act did less harm than is alleged." That "the act did no harm" can also be inferred from the context of his statement, however. The issues in the orations of Isabella and Alcibiades are variations of the issue "the act did less harm than is alleged." Isabella argues that because the act was a mistake, and because there are

TABLE 6

THE USES OF THE EPILOGUE

Speaker--Epilogue	Render the audience well-disposed to you and ill-disposed to opponent.	Magnify and depreciate (make what favors your case seem important and what favors opponent's case less important.	Put the audience in the right state of emotion.	Refresh their memories.
Aegeon: But here must end the story of my life; And happy were I in my timely death, Could all my travels warrant me they live.	Yes	No	Yes	No
Tamora: Thrice-noble Titus, spare my first-born son.	Yes	No	Yes	Yes
Mowbray: Then, dear my liege, mine honour let me try: In that I live, and for that will I die.	Yes	No	Yes	Yes
Friar Lawrence: . . . and, if aught in this Miscarried by my fault, let my old life Be sacrificed some hour before his time Unto the rigour of severest law.	Yes	No	Yes	No
Worcester: Whereby we stand opposed by such means, As you yourself have forged against yourself By unkind usage, dangerous countenance, And violation of all faith and troth Sworn to us in your younger enterprise.	No	No	No	No
The Lord Chief Justice: After this cold considerance sentence me, And as you are a King, speak in your state What I have done that misbecame my place, My person, or my liege's sovereignty.	Yes	Yes	Yes	Yes
Shylock: I stand for judgement--answer. Shall I have it?	No	Yes	No	Yes
Othello: . . . Upon this hint I spake: She loved me for the dangers I had pass'd And I loved her that she did pity them. This only is the witchcraft I have used. Here comes the lady; let her witness it.	Yes	Yes	Yes	Yes
Hermione: Therefore proceed. But yet hear this; mistake me not; no life, I prize it not a straw, but for mine honour, Which I would free, if I shall be condemn'd Upon surmises, all proof sleeping else But what your jealousies awake, I tell you 'Tis rigour and not law. Your honours all, I do refer me to the oracle. Apollo be my judge!	Yes	Yes	Yes	Yes

many who committed the crime that have not been condemned to death for it, her brother's "act did less harm than is alleged." Alcibiades, arguing that his friend was forced to fight to defend his honor and forced to murder in self-defense, contends that "the act did less harm than is alleged." The orations of Antipholus, Friar Lawrence, Mowbray, Othello and Hermione clearly treat the issue, "the act was not committed." Tamora, Worcester, and the Lord Chief Justice attempt to prove that "the act was justified," and Shylock attempts to prove that "the act" is "justified."

More than one forensic subject is incorporated in three of the orations. Antipholus tells the Duke of the dishonorable actions which his wife and the goldsmith have committed against him, and he pleads for justice. Hermione states that her honor is more important than her life, and she warns Leontes that justice will not be accomplished if he judges her solely by the evidence which his surmises have conjured. Worcester argues that he and his house were forced because of a damaged honor and for the sake of expediency (self-protection) to oppose the king by force. The Lord Chief Justice argues that his actions in the past were both just and expedient, and that it would not be just to punish him for them.

TABLE 7

A SUMMARY OF CERTAIN OTHER FACTORS

	Four Forensic Issues				Three Forensic Subjects			Lines of Argument Dealing with Prejudice			
	The Act Did No Harm	The Act Did Less Harm Than Is Alleged	The Act Was Not Committed	The Act Was Justified	Honor or Dishonor	Justice or Injustice	Expediency	To Clear Oneself of Suspicion	To Wage an Open Refutation on Charges Made	To "Meet Calumny with Calumny"	To Argue "The Act Was A Mistake A Mischance"
Aegeon	possible interpretation	more probable interpretation						Yes			
Antipholus of Ephesus			Yes		Yes	Yes		Yes	Yes		
Tamora				Yes		Yes					
Friar Lawrence			Yes					Yes			
Mowbray			Yes		Yes				Yes	Yes	
Worcester				Yes	Yes		Yes	Yes	Yes		
The Lord Chief Justice				Yes		Yes	Yes		Yes		
Shylock				Yes		Yes			Yes		
Isabella		Yes				Yes		Yes			Yes
Othello			Yes					Yes	Yes		
Alcibiades		Yes				Yes		Yes			
Hermione			Yes		Yes	Yes		Yes	Yes		

Mowbray's oration treats the subject of honor extensively. Tamora, Shylock, Isabella, and Alcibiades all treat the subject of justice in their arguments.

Every orator with the exception of Tamora incorporates one or more of Aristotle's lines of argument into his speech, and it can perhaps even be inferred that Tamora "clears" herself "of suspicion" because of the fact that she is pleading for the life of her son. Aegeon, Friar Lawrence, and Alcibiades use only one means of dealing with prejudice: they construct those arguments which would clear them of suspicion. Antipholus, Worcester, Othello, and Hermione use those arguments which would clear them of suspicion, and they also wage an open counter-attack on the charges brought against them. Mowbray refutes his opponent's accusations and also labels his forensic enemy as a "recreant" and a "liar." The Lord Chief Justice and Shylock incorporate only one line of argument: they construct counter-arguments to combat the charges brought against them. Isabella attempts to clear herself of suspicion, and further argues that her brother's act was "a mistake," "a mischance."

The orations of Shylock, Mowbray, the Lord Chief Justice, Isabella, Othello, Alcibiades, and Hermione are superior to the other orations studied in their use of the three artistic modes of proof. Shylock's oration is the least effective as a serious

forensic speech because his lack of ethos obliterates the possibility of classifying him as an Aristotelian forensic pleader. Regardless of his negative ethos and of the low-caliber content of his arguments, his oration is a masterpiece of "invention"; and it must, for this reason, be rated with the superior orations. The Lord Chief Justice's oration seems to be superior to Mowbray's speech of defense both in terms of structure and in the use of ethical and logical proof. The division and the apparent relationships of the parts of the oration can be clearly seen. The judge's arguments are cleverly and effectively invented and a good deal of good will, respect, and competency arises from them. Mowbray may be accused of speaking too long and too intensively upon the subject of honor to be in good taste. It must be recognized, however, that honor to an Elizabethan audience was a paramount consideration, and further, that honor is the only argument he has. It is difficult to rate the orations of Isabella, Othello, and Alcibiades individually with any sort of system in mind. The speeches of both Isabella and Alcibiades are, it seems, of an equally superior quality when the superimposed dramatic situations are not considered. The presence of the rakish comic, Lucio, who is continuously throwing "aside" comments to support Isabella's morale, detracts some-

what from the speaker's pathetic appeal or proof. The fact that the speech is "not sufficiently public" to be considered a pure oration (a great deal of dialogue interrupts the flow of the oration) also lessens to some degree its oratorical qualities. On the points of logical and ethical appeal, however, the two orations are, in the writer's opinion, equally superior. Othello's oration is outstanding because the speaker's ethical proof is established by the use of the narration, and for the most part, established with little logical substantiation. The oration of Hermione, as Kennedy has observed, however, is the best. Hermione uses the three modes of artistic proof more concentratedly than the other speakers do; and Table 5 indicates that the logical premises from which her enthymemes are drawn are based on more tangible evidence (certain signs) than are the premises of the enthymemes which the other speakers incorporate into their orations. The detailed rhetorical analysis of Hermione's oration has demonstrated that the speaker's use of the three modes of artistic proof is complementary and interdependent. This usage has been paralleled, but not equaled in the other orations. It will be recalled that Hermione's oration was determined to be superior in structure and also in the use of the parts of the oration. Kennedy's conclusion, then, that

Hermione's oration "achieves the introduction of the rhetoric in poetic according to the best classical tradition" can be substantiated by the evidence made available through the analyses of twelve forensic orations.

The stated third objective of this chapter is to note "the techniques used by Shakespeare in his orations" and to note "the changes that occurred in the structure of the orations as the playwright's career progressed." Concerning these points the following may be stated.

The oration is used both in comic and in serious situations by Shakespeare. When it is used in a humorous situation or when it is used as a vehicle to produce humor, its oratorical effectiveness is obviously impaired. The subject matter, the structure of the orations, and the techniques of persuasion used by the speaker are determined, it seems, to a large measure by the dramatic purposes and circumstances of the play, and by the "character" of the character speaking. The above statement is partially verified by recalling that in four of the orations the proem was shifted to a source other than the speaker himself, and that in three orations there was no epilogue. The varied use of the narration also illustrates this point. It will be recalled that the narrative is used at times as

the whole substance of the speech, and at other times as a type of argument. In the case of Tamora's oration, it is used merely to introduce an argument. The most consistent similarity in the orations is the pervasive use of the narration as a means to establish ethical proof. In regard to the use of the parts of a speech in general, it can be stated from the analyses executed that Shakespeare's concept of the structure of a speech is as flexible as is Aristotle's. The parts are varied and adapted to meet the particular speaking-situation and the dramatic needs of the play. No rigid plan or pattern is followed. It has been shown, for example, that in some instances the source of the statement-narration-argument is synonymous (Tamora's and Mowbray's orations).

It is interesting to note the primacy of ethical appeals in all of the orations, with the exception of three wherein the dramatic purposes of Shakespeare were obviously conceived with other things in mind (Antipholus, Worcester, and Shylock). The use of ethical proof in five orations is clearly dominant, and in four others it is strongly present. Such a trend, however, is not surprising when it is recalled that many of Shakespeare's "dramatic agents" are characters with strong ethical attributes.

Two of the orations in the first period, those of Tamora and Aegeon, are the only speeches of

the entire group of twelve wherein the use of pathetic proof is predominant. In the orations of Antipholus, Friar Lawrence, Worcester, the Lord Chief Justice, Shylock, Isabella, and Othello little or no use is made of the pathetic elements of proof. Of the remaining orators, Mowbray uses the pathetic appeal more apparently than do either Alcibiades or Hermione. The pathos of Alcibiades' appeal might be said to be less intense than the pathos in Hermione's oration. The important point is not this relationship, however, but the fact that the use of pathetic proof in these two instances arises for the most part from the issues being debated and not from a conscious effort on the part of the speaker. Such a restrained use of pathetic proof, when considering the naturally-emotional nature of drama, speaks in favor of the alleged "conscious or unconscious use" of Aristotelian precepts of persuasive speaking.

Mowbray, Tamora, the Lord Chief Justice, and Shylock are the only speakers in the first and second periods that incorporate any significant use of logical proof. Mowbray and the Lord Chief Justice use elements of logical proof to establish their ethical proof; Tamora's use of logical proof is used to establish her pathetic proof; and Shylock's use of logical proof stands by itself. In the third and fourth

periods, Isabella's and Alcibiades' use of the logical method of proving their contentions is predominant; Othello uses it to establish his ethical proof as does Hermione. When considering the foregoing, it seems that whenever a speaker's character is not sufficiently recognized as being above reproach the speaker is forced to prove his case by relying mainly upon the logical mode of proof. The orations of Shylock, Isabella, and Alcibiades illustrate this point. But when the speaker's character is known to be reliable or above reproach the logical means of proof is used simply to augment the speaker's character or ethical appeal. The orations of the Lord Chief Justice, Mowbray, and Hermione can be cited as examples of this point. It is significant that Friar Lawrence and Othello, whose means of proof were mainly in the ethical mode, incorporate little, and in the case of the Friar no use, of the logical mode of proof into their orations.

In regard to the premises from which the enthymemes are drawn, it can be stated that in all cases, with the exception of Hermione who reasons to some extent from the premises of certain signs, the arguments are "invented" to establish logical proof, or they are invented to be used as a springboard from which the speaker reasons to establish logical proof. The total number of times that the premises are

derived from probability is twenty-four; from the example, twenty-one. Analogical reasoning is employed eleven times as the basis of an enthymeme, and the maxim is used thirteen times.

Kennedy's observations concerning the structural change which occurred in the forensic orations as Shakespeare's writing career progressed are validated by the analyses made. Regarding the first period, the structure of Antipholus' and Aegeon's orations are "simple" and they are "artificially set" into the context of the play. Aegeon's oration is purely and distinguishably statement and narration followed by a weak epilogue. The oration of Antipholus is a speech of display written for the sake of dramatic resolution and humor. Its structure is a clear-cut proem, statement, and narration which is interrupted by much refutation and which ends in chaos. Tamora's oration is composed largely of "artificially set," pathetic argument with three lines devoted to an emotional proem and one line to an emotional epilogue. Regarding the structure of the second-period orations, the oration of Friar Lawrence is much like the structure of Aegeon's speech: there is a short proem and statement followed by a lengthy narration and a brief, weak epilogue. Worcester's oration contains basically the same design. The three

remaining orations of this period, however show signs of improvement. The structure in the orations of Mowbray, Shylock and the Lord Chief Justice contain a combinational use of the parts of a speech. (See Table 4) The outline becomes less discernable as more logical proof and forensic procedure are incorporated into the orations.

The third period orators are Othello, Isabella, and Alcibiades. Isabella's oration because of its "non-public" nature has no definite statement or epilogue. The argument and refutation are the clearly distinguishable parts of the structure. The structural outline of Othello's oration is subdued by the use of transitional devices. Even though the flow of his oration is interrupted by dialogue, there is a nice harmony between the parts of the speech. The epilogue, succinct though it be, seems to emerge from the narrative unnoticed, effectively concluding the speech. The structural outline of Alcibiades' oration runs smoothly and unpretentiously until the refutation concludes the oration by Alcibiades banishing the Senators for their ingratitude.

Hermione's oration is the only oration analyzed from the fourth period. It has been demonstrated that it contains all the parts of a speech. It has also been mentioned that the statement and narration intertwine to produce a different, but

effective method of stating those points which are to be proven or refuted. A similar combination of parts occurs in the argument part of the oration wherein Hermione resumes her statement, but uses that statement in an argumentative or refutative way. The epilogue emerges effectively and dramatically from a refutative enthymeme based on counter-argument. When analyzing the oration of Hermione one is conscious of a total effect of ethical appeal or proof--one is not conscious of the structural parts which produce that effect.

A review of the structure of the orations of the first period and a demonstration of the absence of logical proof coincides with Kennedy's conclusions regarding the rhetorical quality of these orations. The results of the analyses of the second-period orations also coincides with Kennedy's claims. He states that Mowbray's oration is an example of Shakespeare's "maturing sense for the use of argumentative rhetoric." It seems, however, that the Lord Chief Justice's oration and Shylock's oration could also be considered as examples of that "maturing sense." Of the third period Kennedy states: "Whenever Shakespeare's hand touches the oration . . . the maturity of his genius creates a work of finished rhetorical art." A question as to exactly

what Mr. Kennedy means by "a work of finished rhetorical art" arises. Othello's oration seems to meet this standard, but the loose structure of Isabella's speech and the incomplete ending of Alcibiades' oration--incomplete, admittedly, for the sake of plot purposes--do not appear to be in agreement with Kennedy's assertion. If he is referring to the speaker's use of logical and ethical appeals, the results of the analyses would be in harmony with his statement. But the incompleteness present in the structures of both orations does not coincide with his claim: "a finished work of rhetorical art." In regard to Hermione's oration in the fourth period Kennedy has stated: it is "the best of Shakespeare's art, both in rhetorical quality and in dramatic integration." The summary of the analyses as it has been previously stated has provided evidence to substantiate his evaluation of its rhetorical quality.

The analyses of the orations give rise to a question which should be mentioned in the concluding portion of this chapter, however. This question pertains to the orations in the second, third and fourth writing periods. Perhaps the maturing dramatic purposes of Shakespeare; the nature of the dramatic situations in which the orations are

delivered; the character attributes of the speaker, and Shakespeare's increasing ability in oratorical composition and in dramatic integration of the orations into the plot of the play exerted more of an influence upon the development of an "Aristotelian" quality in his orations in terms of structure and in terms of the quality of the persuasive rhetoric employed than Kennedy assumes. These things would play their part whether or not Shakespeare was directly or indirectly familiar with Aristotle's Poetics.

This question first appeared when the Lord Chief Justice's oration in the second period was being treated. The dramatic setting is important in this speculation. It will be recalled that Prince Hal has just appeared in the sovereign robes of King Henry V. The king notices the disturbed mien of the judge. He, with tongue-in-cheek, declares: "How might a prince of my great hopes forget so great indignities you laid upon me?" The fearful judge, thinking the king to be in earnest, speaks in his own defense. In the opinion of the writer this oration is, perhaps in a different sense, of as high calibre as the orations of the third period. The proem of the oration is composed of a dialogue between the Lord Chief Justice and the King; it is

complete and adequate to the situation. The combined statement-narration is open, concise, and effective, and through it, good will is extended. The arguments are cleverly and effectively invented, and they produce ethical proof in terms of good will, respect and recognition of the king's power, and indirectly, they express a concern for the king's personal safety. The Justice's competency as a speaker is also demonstrated by the arguments he constructs. Table 6 shows that the epilogue of the oration fulfills Aristotle's four-point precept. The outstanding quality of the Lord Chief Justice's oration makes the writer hesitate to accept completely Kennedy's conclusions without further analysis. The dramatic purposes of Shakespeare have caused this, the oration of a very minor character, to be of a high rhetorical quality, both structurally and argumentatively. The scene in which the oration appears is included in the play to reveal a magnanimous aspect of the new king's character; to inform the audience that Prince Hal has given up his past loyalties to Falstaff and the other patrons of Boar's-head Inn and that he has given up the frivolous pursuits of his past life; and to give the new king an opportunity to admit publicly that the Lord Chief Justice was right and that he was wrong. Thus the oratorical excellence would be called for whether

Aristotelian precepts were being consciously mastered and used by the playwright or not.

A consideration of the other orations in the second, third, and fourth periods is made with this same possibility in mind. In regard to Friar Lawrence's oration of the second period, the speech appears in the last scene of the last act, nearly at the end of the play. Kennedy, in his classification of the forensic orations, refers to this speech as "exposition of situation: In defense of himself." It is obvious, however, that the oration is the vehicle through which the resolving action of the play is terminated. Its dramaturgic function explains the total absence of emotional and logical proof and the use of the narration to relate the unknown facts behind the deaths of Romeo, Juliet, and Paris. In the case of the oration of Mowbray, the speech is sufficiently effective to pique King Richard to action. He decides to banish both Mowbray and Bolingbroke instead of letting one or the other of them die in a duel because the repercussions of that duel might expose his guilt concerning the death of his uncle, Gloucester. Mowbray, it will be recalled, is accused of plotting the death of Gloucester. In Henry IV, Part I, Worcester's oration is entirely unsuccessful because he is a villain.

His argument is pure narrativ because such a means of presentation is the most succinct way of revealing to the audience his and his family's reasons for opposing the king. Shylock's oration is particularly interesting in this speculation. He is a villain and he is a shrewd villain. His means of proof can only be through the use of logical persuasion. The substance of his arguments demonstrates the low, sometimes obscene, aspects of his character. The rhetorical techniques used in this oration are of as high a calibre as far as "invention" is concerned as those techniques employed by Isabella and Alcibiades in the third period, yet this play is one of the second period, and the period wherein Kennedy has stated that "Shakespeare's maturing sense for argumentative rhetoric" is revealed. It is in the third period that the orations occur which have been described by Kennedy as finished works of "rhetorical art."

Yet it seems that the difference between the oration of Shylock and those of Isabella and Alcibiades lies not in the quality of the rhetoric employed, but instead in the ethical qualities and purposes of the characters and of the arguments they are advancing.

When considering the superiority of the rhetoric in the orations of the third and fourth

periods, it appears that the dramatic purposes of Shakespeare and the dramatic situations in which the orations are delivered account in part for the excellency of these oratorical achievements.

Alcibiades' and Isabella's orations are logically inferior to Hermione's because these speakers do not have the concrete evidence to incorporate into their logical proofs that Hermione has. Alcibiades' oration is, according to the results-theory-criterion of evaluation, unsuccessful because Shakespeare must give this character a strong motive for organizing armed aggression against the city of Athens. Isabella's oration ends in dialogue to give the audience ironical suggestions of Angelo's intentions of "propositioning" her in return for the life of her brother--an all-important element in the plot of the play. Structurally, in other words, Hermione's oration is to a large measure superior because the dramatic situation allows her to orate in a relatively uninterrupted manner. The oratorical setting is more public and more formal than are the dramatic settings of Alcibiades' and Isabella's speeches.

On the other hand, the lengthy narration of Othello's oration is used as a means through which the audience can grasp the innocence and child-like

quality of the love of the Moor and Desdemona. A knowledge of the essence of their love increases the tragedy of their lives. Because they both possess an innocent and a child-like faith in each other and in people in general, Iago's ignominious schemes are successful.

Obviously an analysis of Kennedy's two remaining classifications of orations would have to be made before this kind of speculation could assume any sort of validity. Its latent import seems, however, to warrant its inclusion in the concluding portion of this study.

To conclude: Kennedy has observed that the orations from Shakespeare's third and fourth writing periods contain logical and persuasive speaking; he has cited the oration of Hermione as being "the best of Shakespeare's art"; he has stated that the structure of the orations becomes more and more subdued as more and more skill is devoted to feeling and expression, and that "the structure of Shakespeare's orations reveals their fidelity to the best classical tradition." (In the term, classical, Kennedy includes Cicero, Quintilian, and Wilson, in addition to Aristotle.)

This study has applied Aristotelian rhetorical precepts to twelve orations in which there is no

question of authorship. The results of the analyses of these orations are in agreement with Kennedy's conclusions with the exception of his claims regarding the rhetorical quality of the orations in the second and third periods. In the writer's opinion, some of the orations of the second period can be equated in quality with the rhetoric in the third-period orations. Also, Kennedy's claim that Shakespeare's improved and refined use of rhetoric in the second, third, and fourth periods became progressively better because of some knowledge of, or acquaintance with, Aristotelian poetic theory is questioned in the speculation previously advanced.

Whether Shakespeare knew of Aristotle's Poetics or Rhetoric is still the paramount question to be solved before research of this nature can hold much scholarly significance. The purpose of this study, however, is to expand and substantiate the endeavors of Kennedy, who has contended that in the latter plays of Shakespeare there are evidences of a "conscious or unconscious use" of Aristotelian rhetorical theory. The analyses of the twelve forensic orations regardless of the foregoing speculation does provide evidence to substantiate at least partially the concluding statement of Kennedy's study: "He [Shakespeare] perfected the revival of

the ancient rhetoric in poetic."

Suggestions for Further Study: This study is in many ways incomplete. One of the reasons for analyzing the dramatic passages which Kennedy has classified as forensic orations was that this type of speaking would be more likely to contain persuasive rhetoric than the deliberative or the demonstrative orations. This study is successful in that it has found positive indications of that predetermined goal. It is incomplete because an analysis of only the forensic orations does not provide the necessary evidence to draw any definite conclusions regarding the entire scope or validity of Kennedy's work. Kennedy's conclusion that "He perfected the revival of the ancient rhetoric in the poetic" refers to all of the orations in Shakespeare's plays. There are, then, more avenues of analysis remaining. The deliberative and the demonstrative (epideictic) orations must also be considered as the forensic orations have been before Kennedy's conclusions can be satisfactorily validated.

The question of style arises at this point of consideration as it did in Chapter II of this study. It has been mentioned that Kennedy's withdrawal from an Aristotelian consideration of the style of the orations he treated produces a weakness in his work. Various sources have indicated that

Shakespeare's use of style becomes less ornate and more refined during the latter periods of his writing career. At this same time, his use of rhetoric is distinguished by Kennedy as being Aristotelian. During the analyses of the twelve orations, noticeable differences in the style employed by a speaker of the first and/or second periods and the style used by the speakers in the latter periods was evident. As a hypothesis, it seems reasonable that there is some relationship between the refinement of Shakespeare's use of language, and the increasingly persuasive power of the rhetoric in the orations of the latter periods. The third book of Aristotle's Rhetoric has much to say regarding style which could be applied for analytical purposes to Shakespeare's orations: the desirable rhythm, iambic (the same rhythm in which much of Shakespeare's verse is written--iambic pentameter or blank verse); the use of similes, metaphors, and analogies; clearness of style or "purity of style"; "faults of style," etc. Perhaps a study could be made to prove or disprove the foregoing hypothesis. Such a study would provide another testing-ground for Kennedy's conclusions.

Still another possible field of study would be to analyze some Shakespearean passages in an

attempt to determine what specifically are the similarities, differences, and relationships existing between a rhetorical element and a poetic element. Research would have to be done to define these terms in light of present knowledge. The works of C. S. Baldwin; Chapter II, "The Criticism of Oratory," from The Rhetoric of Alexander Hamilton by Bower Aly; "Rhetoric and Poetic" by H. H. Hudsor (The Quarterly Journal of Speech, 10:143-154), "Rhetoric and Poetry in Julius Caesar" by Ronald Frye (The Quarterly Journal of Speech, 37:41-48), and "The Most Fundamental Differentia of Poetry and Prose" (Publications of Modern Language Association, 19:250, p. 250) would be helpful sources in determining a definition of what constitutes a rhetorical and a poetic element. The definitive criteria would have to be established and then applied to the Shakespearean passages. Passages from Shakespeare's "better" works would be the logical material to use in such a study.

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110